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Thursday, 13 March 2008

L J OSMOND
CHIEF HANSARD REPORTER

N J LAURIE
CLERK OF THE PARLIAMENT

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THURSDAY, 13 MARCH 2008

The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. MF Reynolds, Townsville) read prayers and took the chair.

Mr Speaker acknowledged the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

PRIVILEGE

Councillor Jane Prentice

Hon. N ROBERTS (Nudgee—ALP) (Minister for Emergency Services) (9.30 am): I rise on a matter of privilege. On Tuesday during the debate of matters of public interest the member for Clayfield tabled documents which included a letter from Liberal Councillor Jane Prentice to Banyo residents about the Banyo railway level crossing. This letter contains a false statement which in my view is defamatory.

On Thursday, 6 March I attended a public meeting in Banyo to discuss council proposals relating to the Banyo level crossing. Councillor Prentice attended the meeting as Campbell Newman's representative. During the course of the meeting I requested that Councillor Prentice ask Campbell Newman to write to around 20 local Banyo residents withdrawing letters advising of potential resumptions arising out of two overpass options proposed by the lord mayor. My records and witnesses at the meeting indicate that Councillor Prentice agreed to this. On the evening of Monday, 10 March—

Mr COPELAND: Point of order, Mr Speaker. There is no privilege related to this.

Mr SPEAKER: It is out of order. There is no point of order.

Mr Springborg interjected.

Mr SPEAKER: Leader of the Opposition, I have ruled that this is a matter of privilege and I ask you to respect what I am saying rather than leaf off to everyone else that you can do whatever. I ask you to respect my ruling. I call the Minister for Emergency Services.

Mr ROBERTS: On the evening of Monday, 10 March a letter from Councillor Prentice was distributed around much of Banyo and Nudgee, in my electorate, potentially to several thousand electors. This is the letter tabled by the member for Clayfield on Tuesday. The letter, which was also delivered to my home, begins with the following opening statement—

Dear Banyo Resident

I am writing at the request of the State Member for Nudgee, Neil Roberts MP, to correct misleading information being spread by Cr Kim Flesser in relation to the Banyo Railway Crossing.

I made no such request. This statement is completely false and at the very least is a disgraceful misrepresentation of statements I made to Councillor Prentice at the meeting. It is defamatory and, in my view, has caused injury to my reputation in the community.

I am currently seeking advice from defamation lawyers with regard to Councillor Prentice's letter. As this letter is authorised by the Liberal Party on behalf of Campbell Newman and his team, I will also be seeking advice on my options to pursue action against the Liberal Party, the Liberal candidate for Northgate and the Liberal campaign worker who was observed distributing this material.

I telephoned Councillor Prentice's home on Monday evening and spoke to a Mr Ian Prentice and requested that Councillor Prentice contact me to discuss the concerns I had about her letter and, in particular, the statement I read onto the record. No return phone call has been received. Yesterday morning I faxed a letter to Councillor Prentice advising of my concerns about the content of her letter and requested that she contact me immediately to discuss a practical resolution to this matter. To date Councillor Prentice has not made any contact with me.

Improper and false statements have been made which suggest that I am at odds with the local Labor councillor, Kim Flesser, whom I will be supporting at this Saturday's council election. The electors of Banyo and Nudgee are entitled to know the truth of this matter prior to election day. As we are now only 48 hours from election day, I call on Lord Mayor Campbell Newman, who was represented by Councillor Prentice at the meeting, to immediately correct the false statement made in the letter. Campbell Newman needs to show some real leadership and have this false statement corrected before people cast their votes on Saturday. This is just another example of how Campbell Newman and his team will say and do anything to get elected.

Mr SPEAKER: I ask the member for Nudgee to formally write to me regarding the matter of privilege he has raised.

SPEAKER'S STATEMENT

Photographs in Chamber

Mr SPEAKER: I inform members of the House that I have given permission for a *Courier-Mail* photographer to take photos in the chamber this morning under the normal guidelines.

I welcome to the public gallery today teachers and students from Moreton Bay College in the electorate of Chatsworth, which is represented in this House by Mr Chris Bombolas MP.

REPORT

Crime and Misconduct Commission

Mr SPEAKER: Honourable members, I have to report that yesterday I received from the Crime and Misconduct Commission a report titled *How the criminal justice system handles allegations of sexual abuse: a review of the implementation of the recommendations of the Seeking Justice report*. I table the report for the information of members.

Tabled paper: Report by Crime and Misconduct Commission titled 'How the Criminal Justice System Handles Allegations of Sexual Abuse—A review of the implementation of the recommendations of the Seeking Justice report'—March 2008.

PETITIONS

The Clerk presented the following paper petitions, lodged by the honourable members indicated—

Beaudesert-Browns Plains, Bus Service

Mrs Scott, from 2,708 petitioners, requesting the House to approve the introduction of a Translink funded hourly bus service from Beaudesert to Browns Plains to enable residents to connect with the public transport systems available.

Sentencing Process

Mr Horan, from 130 petitioners, requesting the House to initiate a review and reform of the sentencing process in light of the inadequate sentences that have been handed down in our law courts.

Petitions received.

TABLED PAPER

MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by the Clerk—

Minister for Main Roads and Local Government (Mr Pitt)—

- Response from the Minister for Main Roads and Local Government (Mr Pitt) to a paper petition (1004-08) presented by Mr Dempsey from 3,025 petitioners regarding Burnett Shire Council's proposal to ban camping in certain areas throughout the Shire

MINISTERIAL PAPERS

The following ministerial papers were tabled—

Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine)—

- Adult Guardian—Annual Report 2006-2007
- Office of the Public Advocate—Annual Report 2006-2007

MINISTERIAL STATEMENTS

Local Government Elections

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.38 am): This Saturday a new era will be ushered in for local government in this state. Queenslanders will go to the polls to elect the 73 mayors and 480 councillors who will lead their communities for the next four years.

For the first time since 1968, Reg McCallum's name will not be on the ballot paper. Councillor Reg McCallum was elected a councillor to the Nanango Shire Council in March 1968 and he became the mayor in 1976—a position he has held for the last 32 years. This is a remarkable record of service. It is understood that Mr McCallum is Australasia's current longest serving local government representative. Reg McCallum has spent his life making a contribution to the public life and wellbeing of his community.

Mr Seeney: And he doesn't like you, let me tell you that.

Ms BLIGH: I am trying to put the achievements of someone who I believe is a remarkable Queenslander on the record, and I do think he deserves a little bit of respect from everybody. It is a remarkable achievement and I am very pleased to recognise the achievements of Mr McCallum in the House this morning. He has not nominated to be the mayor for the new South Burnett Regional Council, which consists of the current Nanango, Kingaroy, Murgon and Wondai shires. I met Mr McCallum at Kingaroy last week and I wished him well, and I am sure that every member of the House joins me in good wishes. I thank all councillors who have been contributors to making a better Queensland. Queenslanders are urged to make their votes count with Saturday's historic local government elections. Voting is compulsory for more than 2.6 million Queenslanders listed on the electoral roll to vote in the elections.

The elections are the first for the local government areas affected by last year's mergers and boundary changes. In total, there are 1,634 candidates contesting the elections, 271 of whom have nominated for mayoral positions and 1,363 are seeking election as councillor. I welcome the participation of so many candidates in this Saturday's elections. Additionally, people who are going to be absent from their local government area on Saturday can apply for a postal vote by contacting the Electoral Commission no later than today. The independent Local Government Reform Commission last year, as members know, comprehensively reviewed local government arrangements. It recommended a complete and fundamental overhaul of councils and their boundaries and a reduction of approximately 700 in the number of elected local officials. Previously, there were 157 local councils in Queensland. Of the 73 remaining local government areas, 38 are existing councils, 31 are new and four are existing councils with slightly changed boundaries. This major reform of local government, together with a review of the legislation, is building a new stronger system of local government and getting the best possible outcomes for local communities. The Queensland Electoral Commission will progressively post the results of the elections on its web site, and I encourage members to take an active interest.

Sarina, Rail Infrastructure

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.41 am): I am pleased to advise the House that a massive $400 million upgrade to the coal train network near Sarina will help lift exports to 38 million tonnes from 2010. The Jilalan railway upgrade is a part of our coal infrastructure plan and combines with expansions of Hay Point and Dalrymple Bay terminals to lift exports by 40 per cent. Construction on the project will start next month and be finished by the end of next year. It will employ 300 workers during construction and deliver another 100 jobs when operational. Built in 1971, the current rail yard south-east of Sarina can only cope with 92 million tonnes of coal per annum. The new yard will be capable of handling 130 million tonnes per annum. The coordinator-general has released his assessment report on the environmental impact statement for the upgrade. He approved, with conditions, the project's EIS, and Sarina Shire Council has subsequently already approved the development application. Conditions imposed include noise and dust monitoring, environmental management plans and road infrastructure improvements. The report can be viewed at the Department of Infrastructure and Planning web site.

The coordinator-general worked closely with Queensland Rail and Sarina Shire Council on this issue because the financial burdens associated with delays to the start of construction would have been considerable. One month's delay to the start of the project could have cost the industry and government hundreds of millions of dollars. This was a project where for the first time the coordinator-general used his power under the State Development and Public Works Organisation Act to issue a notice to decide which instructed the local council to deal with the application within 20 business days. This 20-business day time frame for consideration is no different from the Integrated Planning Act, but with an IPA assessment there could have been further extensions. This is a good example of my government changing Queensland for the better and proof positive of another Labor policy in action.

We also appreciate that this was one of the last actions of the Sarina Shire Council before it becomes part of the new Mackay Regional Council, and I thank it for its cooperation. This upgrade is vital to maintain crucial coal exports, and a compulsory deadline was the most swift and sensible solution. Site earthworks will involve moving more than a million cubic metres of rock and soil while 50 kilometres of track and new administration, maintenance and employee buildings will be constructed. The new six-kilometre service and maintenance facility is to be built next to the existing yards and will be able to handle 80 coal trains per day instead of the current 60.

Antismoking Laws, Review

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.44 am): Despite Queensland having the most comprehensive antismoking laws in the country since 2005, it would seem there are many Queenslanders who want to see us get even tougher. As members of this House will be aware, the Minister for Health is currently reviewing these laws to ensure that they continue to address this important health issue and continue to meet community expectations. As part of this review, more than 550 Queenslanders have provided online feedback, revealing a very strong desire in the community to get even tougher on smoking. For example, 91 per cent of respondents supported a prohibition of

smoking in vehicles carrying children under the age of 16; 91 per cent supported giving local government the power to regulate smoking in pedestrian malls; 91 per cent supported giving local government the power to prohibit smoking at all public transport waiting points, including bus shelters and ferry wharves; 90 per cent supported increasing the four-metre distance from building entrances where smoking is banned; and 87 per cent supported removing the current exemption which allows smoking in premium gaming rooms.

Generally, most respondents believed that our current smoking laws are meeting the objective of reducing public exposure to environmental tobacco smoke. However, these results make it very clear that many people in the community would like to see more done. Some 49 written submissions have also been received from industry groups, employee groups, health organisations, local councils and government agencies. Queensland Health is currently assessing the submissions to provide recommendations to the minister and I expect cabinet to consider them in coming weeks. Smoking is one of the leading contributors to premature death, killing more than 3,000 Queenslanders every year. It is also one of the leading causes of preventable chronic disease. My government makes no apologies for being tough on smoking. As a responsible government, our focus will be on ensuring we continue to limit the effects of smoking on Queenslanders' health to the extent that that is possible.

Go Card

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.46 am): I have very good news today for our public transport passengers. Since the go card came online in January, more than 26,000 commuters have started using go card and are enjoying the convenience of the integrated ticket. These 26,000 are our go card pioneers, and I show the go card to the House as provided to me by the former minister for transport.

Mr Lingard: Did you lose your licence, Paul?

Ms BLIGH: People like the Deputy Premier are our go card pioneers, and I am pleased to announce today that they will enjoy free travel on TransLink buses, trains and ferries over the Easter long weekend. The four-day promotion is both a thank you to current go card patrons and an incentive for more people to try the new technology. From midnight on Thursday, 20 March until midnight on Monday, 24 March, go card holders will travel free. They will not need to swipe on or off; just present their card for a free ride. The promotion is available anywhere that TransLink services operate across the south-east—from Gympie to Coolangatta to Amberley and everywhere in between. So if go card holders are taking their family to South Bank for a barbecue, having a day out at Eagle Farm for the Easter picnic race day or heading to one of the theme parks on the Gold Coast, their Easter trip is on us.

We expect south-east Queenslanders to take more than 270,000 journeys across the TransLink network over the Easter break, and this promotion is a great opportunity to give the go card a try to see if it suits your needs. The paper ticket system will still be available, but it will only be go card holders who get the free ride. So I urge south-east Queenslanders: go and get your go card this week and use it free of charge all over Easter. Based on expected patronage and the percentage of go card users, we expect the promotion to deliver an estimated $50,000 worth of free travel across the south-east over the four days. I will be watching those four days with interest, and I encourage south-east Queenslanders: go and get your go card and then use it for free all over Easter.

Xstrata Zinc

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Infrastructure and Planning) (9.49 am): Labor is serious about supporting industry in our state. We are serious about ensuring Queensland is a vibrant and enticing place to do business. We have had major successes in the past with companies like Virgin Blue Airlines and Boeing setting up headquarters in Queensland. In January, I was in America for the announcement from Boeing that it would locate the Australian head office of its newly formed Phantom Works branch in Brisbane. Phantom Works is based in St Louis, Missouri and employs about 2,000 people. It has developed technologies used by a host of aviation and aerospace organisations, including NASA and the US Department of Defense. Thanks to that decision, about 30 highly skilled scientific and engineering staff will now call Australia home.

Today, I am pleased to inform the House of an announcement by the global chief executive officer of Xstrata Zinc, Mr Santiago Zaldumbide, to establish its Australian corporate head office in Brisbane. I have previously met with Mr Zaldumbide and can assure the House that he is very committed to growing Xstrata's business in Australia. Xstrata has indicated the Brisbane office will be established by the end of this month. Senior staff, including chief operating officer Brian Hearne and others, will make Brisbane their base in coming months. In the past three years, Australia has been the real accelerator behind the growth of Xstrata Zinc. Clearly, Xstrata believes Queensland is the place to do business.

The value of mines and energy production in Queensland cannot be underestimated. In 2007, the annual value of Queensland's minerals and energy production surged through the $25 billion mark. Last year, the resources sector represented more than 15 per cent of the Queensland economy. The

resources sector is responsible for the employment of one in every eight Queenslanders. Exploration, mining, minerals processing, energy and electricity production companies in Queensland directly employ around 45,000 people.

This is the first time Xstrata Zinc has established a corporate office in Australia. I welcome Xstrata Zinc to Brisbane and I thank them for their vote of confidence in Queensland. It is value-adding, high-tech, Smart State industries like these that are changing Queensland for the better. I also acknowledge the fine work of one of Xstrata's greatest supporters, the member for Mount Isa.

Clandestine Drug Laboratories

Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police, Corrective Services and Sport) (9.51 am): Members may have read about a UN report last week that claims Queensland appears to be the base of most of the clandestine drug laboratories in the country supplying amphetamines to the rest of Australia. Police tell me there is no intelligence to support the suggestion in this report that Queensland is the epicentre of drug production in Australia, nor is there evidence that drug producers in this state are supplying the entire country. In fact, intelligence suggests the vast majority of amphetamine type products, particularly ecstasy, seized in large volumes in Queensland are actually sourced in New South Wales. Furthermore, the vast majority of clandestine laboratories located in Queensland are small-scale operations as opposed to large, commercial type ventures.

It appears the data used in compiling this report is not specific enough to examine what size the laboratories are or what investigation approaches are used to identify people involved in such offences. The rate of seizure of clandestine laboratories in Queensland has in fact reduced significantly in the past two years due to our award-winning Project STOP. The purchase of pseudoephedrine at chemists is now recorded and tracked, allowing police to identify people buying the product to make drugs.

In the 2004-05 financial year police seized 210 clandestine laboratories. In 2006-07 this number reduced to 132 and the figure continues to decrease this financial year, with 77 laboratories seized to date. The number of laboratories found is going down as police continue to crack down on the drug trade. Just yesterday police arrested four people on drugs charges following targeted operations at Burpengary and Kippa Ring. Police seized amphetamines and $269,000 in cash. Also yesterday police dismantled a clandestine drug laboratory at Clayfield. In the past three weeks two major operations on the Sunshine Coast have led to the arrest of 60 people on 281 charges including the trafficking, supply and possession of dangerous drugs. More than $220,000 worth of drugs were seized. Last week 12 people were arrested on 62 drugs related charges during raids in Mount Isa, Boulia and Cloncurry. This government will continue to support the police in the ongoing fight against illicit drugs, and I am pleased to report that our officers are doing an excellent job.

Electricity Retailers

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (9.54 am): Last night the Department of Mines and Energy issued a show-cause notice to Origin. There have been claims that some pensioners are missing out on what they are entitled to—an electricity rebate from the state government—and are being wrongly charged for the ambulance levy. If these claims are true, then Origin deserves to have the book thrown at it.

This is the second time we have had to take Origin to task recently, and, frankly, we are sick of it. Last night I contacted the senior executives of Origin and told them in no uncertain terms to fix it, and to fix it fast. Origin must repay this money immediately. I have instructed my department to conduct a full investigation. There are stiff penalties for this sort of failure by a retailer—almost $100,000. We have also told the other electricity and gas retailers to make sure their own houses are in order.

I am also very concerned about the draft decision by the Queensland Competition Authority to increase the price cap for electricity to seven per cent. Queenslanders are facing increasing pressure as the cost of essentials rises—petrol and interest rates are up—and I want to ensure any increase in electricity reflects a genuine increase in the cost of supplying electricity. We know that people are doing it tough. We are helping to ease the strain with subsidies worth hundreds of millions of dollars, rebates and hardship funds for people in financial crisis. We will continue to do everything in our power to make sure they are delivered.

We want to ensure that Queenslanders have access to affordable energy. The government has lodged its submission with the independent market regulator. We have made it clear that the QCA should critically review its calculations. My concern, first and foremost, is for Queenslanders. I will continue to strongly argue their case before the independent market regulator. Any change in the electricity price cap should be genuine. The people of Queensland would expect nothing less.

The government is also concerned about price increases in the residential gas market. I have informed the QCA that they will be required to review the extent of competition in the residential gas industry to ensure that gas prices, like the price of electricity, reflect the true cost of supply. It is called a fair playing field.

Health Capital Works Program

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (9.56 am): The Bligh government is delivering the largest health capital works program ever undertaken in Australia, worth around $5.1 billion. Much of this work will be carried out this year. Our hospitals are being upgraded and expanded to deal with a record number of people using the public health system. With 120 major projects on our books, we plan to deliver more than 750 additional hospital beds by 2011.

In the first quarter of this year alone we are scheduled to open the upgraded emergency departments at Dalby, Redcliffe and Redland; the primary healthcare centres at Hope Vale, Erub Island and Warraber Island; a community health centre at Nundah; upgraded outpatient and maternity facilities at Dalby; a new hospital at Gin Gin; community and mental health facilities at Gladstone; an upgraded renal dialysis service at Redland; and upgraded oral health facilities at Rockhampton.

In south-east Queensland, planning for three new tertiary hospitals is progressing well. Master planning is nearing completion on all three projects, and I will be releasing further details of these plans in coming months. These hospitals are just one part of our overall strategy to open more beds and improve services. Major redevelopment works are underway at the Miles, Redcliffe and Redland hospitals. Work has also started to increase bed numbers on the Sunshine Coast.

A $134.4 million redevelopment at Prince Charles Hospital on Brisbane's northside is nearing completion. This year, construction will begin to upgrade facilities at the Bundaberg and Cairns hospitals. Elective surgery capacity will also grow through a $30 million expansion at QEII Hospital, on Brisbane's southside. So far we have completed the schematic design and are tendering for a managing contractor who will complete the design and provide a guaranteed construction sum. We will deliver a 30-bed elective surgery centre and an additional operating theatre at QEII Hospital by January 2009.

These projects and a range of community health precincts, such as those at North Lakes and Browns Plains, are ensuring the right infrastructure is in place to support a growing population and the changing nature of health service delivery.

Apprentices and Trainees

Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (9.59 am): Currently, Queensland has around 92,900 apprentices and trainees in training, including 40,700—or 43.8 per cent—in traditional trades as at 30 September last year. Training commencements in Queensland over the year to 30 September last year increased by 13 per cent compared with the previous 12-month period—well above the national increase of five per cent.

It is pleasing to note that Queensland continues to outperform other states in the take-up of apprenticeships and traineeships. While these results are impressive, our government is building on this success by encouraging more women to take up a trade. Women in Construction Week is happening this week. I am pleased to tell the House about some of the initiatives underway.

Our government is investing in a Women in Plumbing Program developed by the Communications, Electrical and Plumbing Union, which provides mentoring and assertiveness training for female apprentices prior to placement with their employer. Through such programs we are helping to break down stereotypes and address factors that hinder women from taking up such roles. This has resulted in a marked increase in the number of women starting apprenticeships in the construction industry from 51 in 2005 to 140 last year. We still have a long way to go, but progress is definitely being made.

Constructions Skills Queensland, the Office of Women and WorldSkills Queensland through SkillsTech Australia are also running a number of 'try a trade' events to promote the Queensland construction industry. Female high school students are being given an opportunity to try various skills and trades in plumbing, carpentry, bricklaying, electrical, civil engineering, painting and decorating, off-site construction, tiling, plastering, floor laying, roof tiling and sheet metal. It is hoped that through these 'try a trade' events, young women will be encouraged to think about their future and the possibility of undertaking an apprenticeship. Events such as these support our $1 billion Queensland Skills Plan with its intention to enhance information and access to vocational education and training and employment pathways for young people. It will certainly support transitions into school based apprenticeships for young women across the state.

Easter Confectionery, Pricing

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (10.01 am): The Easter long weekend is fast approaching and many families will be preparing for the festivities. Like Christmas, Easter is a time when it is traditional to provide gifts such as Easter eggs, and this can cause an extra burden on the household. Compliance inspectors from the Office of Fair Trading recently conducted more than 180 measurement checks on Easter eggs to ensure customers were getting the amount of chocolate stated on the package. I am pleased to report that retailers are doing the right thing and that weight measurements were the same as those advertised.

What compliance officers did note, however, was the huge difference between the price of confectionery specifically marketed for Easter and chocolate that is regularly sold. They compared the weight-for-weight prices of novelty Easter confectionery against standard equivalent chocolate and found that Easter sweets were up to four times more expensive per 100 grams than chocolate which is for sale year round. The survey found that novelty shaped chocolates such as Easter bunnies were more expensive while small, solid chocolate eggs were better value for money.

Obviously retailers are cashing in on the generosity expressed by people during Easter. I urge consumers to think carefully about their budget prior to purchasing presents this Easter. Family members would rather that loved ones stay afloat financially than have them struggle because they bought the latest, greatest chocolate Easter bunny as a present. I urge consumers not to whip out the credit card for purchases they cannot really afford. Spending on credit can mean paying off Easter presents for many months to come and, at worst, credit card debt can lead to bankruptcy.

My advice to consumers is to prepare a budget for Easter and stick to it. They should think twice before increasing their credit limit. If they cannot control their spending, they should ask to have their credit limit decreased or reassess their need for a credit card. They should plan to pay off the balance as quickly as possible to avoid paying interest. I hope all Queenslanders can have a safe and enjoyable Easter. If they stick to their budget, they will not have to worry about paying it off.

Parliamentary Standards, Product Endorsements

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Information and Communication Technology) (10.03 am): I want to raise a matter concerning the standards that this parliament expects of its members. As all honourable members are aware, we as MPs are often called upon to endorse products which may be of interest or benefit to our electorates. The sensible, honest, vigilant member will be most cautious to avoid a conflict of interest or matters which may offend the rules of this parliament before doing so. Of course it would be, to say the least, most improper for any personal gain to be derived from such a promotion or, indeed, for the services or facilities provided by this parliament to be used in a promotion from which there was no general electorate benefit or from which the member stood to gain personally. I trust the Leader of the Opposition—and I know he is not here—would agree with this position. I know the Premier does and I know members on this side of the House do.

An opposition member interjected.

Mr SCHWARTEN: I know her views on this matter. I do not know the views of the Leader of the Opposition.

I feel sure Independent members such as the member for Nicklin and the member for Gladstone will agree with the statements that I have just outlined. On 27 February 2008—just 15 days ago—the *Western Sun* carried what could be best described as a tarted up advertorial about Mooney aircraft, an American aircraft which, according to the Register of Pecuniary Interests of this parliament—and I will table a copy—is the preferred aircraft of the member for Warrego, Mr Hobbs. I now table a copy of the article which heavily plagiarised from another article that I intend to table.

Tabled paper: Copy of article from the Western Sun, dated 27 February 2008, titled 'World's fastest aircraft "leaps down under" to Roma'.

Tabled paper: Extract from Twentieth Report on the Register of Members' Interests, as at 3 August 2007, page 18, relating to the interests of the Member for Warrego.

Tabled paper: Copy media release, dated 20 February 2008, titled 'Mooney plans acclaim "Leap Down Under" tour of Australia February 29-March 19'.

Tabled paper: Copy of article from The Australian, dated 26 January 2001, titled 'MP air crash' and article from the Courier-Mail, dated 5 August 1994, titled 'MPs' list reveals investment bent'.

Mr Horan: What about your promotion of VB cans?

Mr SCHWARTEN: We will get to it. This is promotional material from Mooney which claims to be the 'symbol of performance'. I am not here to doubt such claims.

Mr Seeney interjected.

Mr SPEAKER: Members of the opposition, I have given you a pretty fair go here. There is continuous noise from your side. Let us have a bit of respect for the speaker.

Mr SCHWARTEN: I am not here to doubt such claims. I have no beef with the aircraft manufacturer or its capacity to promote its product. It has every right to do so. However, the questions for this House are many. Firstly, why is the member for Warrego promoting a $579,000 product to an exclusive group which he refers to in his statement as 'serious potential buyers'. Clearly, this excludes the vast majority of his constituents as I doubt there would be many battlers in the Cunnamulla area who, having just survived drought, have a lazy half a million dollars to throw away on a plane.

Mr Hobbs: It's a brand-new one.

Mr Johnson: If this is the best you can do, give it away.

Mr SCHWARTEN: It is great to hear them supporting Mr Hobbs. To quote Mr Hobbs, 'The Acclaim Type S has industry leading speed'. Also Mr Hobbs says, 'There is an extended factory warranty on the airframe and engine.'

Opposition members interjected.

Mr SPEAKER: I have said that I will warn members in a moment and, after the warning, issue ejection from the chamber.

Mr SCHWARTEN: He also says the Mooney company 'currently produces the world's fastest, most efficient single engine, piston powered aircraft'—a powerful endorsement indeed.

Mr Hobbs interjected.

Mr SPEAKER: Order! I warn the member for Warrego.

Mr SCHWARTEN: Again I say that I have no problem with Mooney flying in its aircraft to Roma from Kerrville, Texas, United States of America. Good on them. However, I do believe that, given that the member for Warrego owns one of these aircraft, he has a conflict of interest.

Opposition members interjected.

Mr SPEAKER: Member for Callide, I am on my feet.

Mr Seeney: You're a dingbat, Robbie.

Mr SCHWARTEN: Let the record show that the opposition laughs at a conflict of interest.

Why is it that the member for Warrego is promoting this aircraft? The obvious question is: what is in it for him? Is he receiving any gain from such a promotion and, if so, should he be declaring it under the rules of this parliament?

Mr Copeland interjected.

Mr SPEAKER: I warn the member for Cunningham.

Mr SCHWARTEN: Also, if he is receiving any benefit, would it not be prudent and transparent to declare it in the article? The endorsement of this product is most generous and without qualification. It is not made by 'Mr Howard Hobbs, private citizen'; it is made by 'the member for Warrego, Howard Hobbs'. It is therefore an endorsement by someone claiming the privileges of this parliament. I must say that I think it is not necessarily wise for members of parliament to be promoting private products using their elected position to get some sort of parliamentary stamp of approval.

Mr Seeney: You should have said that to Gordon Nuttall. Why didn't you tell Gordon Nuttall that?

Mr SPEAKER: I warn the member for Callide under standing order 252.

Mr SCHWARTEN: But the question remains: has there been any benefit procured by this member? Why is he promoting an expensive product to serious potential buyers which has no appeal to his broader electorate? But there is also another question, and this goes to the role of the member in this whole business. The member for Warrego's article—

Mr Nicholls interjected.

Mr SPEAKER: I warn the member for Clayfield under standing order 252.

Mr SCHWARTEN: The member for Warrego's article claims that he is the media contact for this company. That would normally mean that this person has a direct connection with that company. My experience is that very few companies would allow someone they do not know well to be their media contact and that such positions normally come with some sort of payment or benefit.

We as members of parliament are provided with resources by this parliament to help us do our job. I am sure no-one objects if those resources might sometimes be used for limited private use—the odd private email, the use of the fax or some personal phone use and so on. But I think, and I believe most electors agree, that listing the electorate office phone number as part of a promotion of an overseas manufactured aircraft is beyond the pale. I table a copy—

Opposition members interjected.

Mr SCHWARTEN: I am quite happy to say outside that the phone number used in that promotional material is the member's electorate office number. I have no problem saying that at all. That is an undeniable fact. No doubt his electors might wonder how much electorate office time has been taken up on this private matter. Certainly this House should wonder about it—and, indeed, so should the Leader of the Opposition, who is sitting there with a smirk on his face. We have already witnessed the Leader of the Opposition's weakness when it came to the McSwindle matter. We know that the member for Caloundra was not cleared by the Law Society and the Leader of the Opposition lacked the courage of his predecessor to do anything about it. Now let us see if he will eyeball the member for Warrego. This is not just about the member for Warrego. This is a test of your leadership and your ticker.

Mr Springborg: You've got me, Robbie.

Mr SCHWARTEN: This is not about the member for Warrego. This is about you. Let us see if the Leader of the Opposition is prepared to do something about it.

Opposition members interjected.

Mr SPEAKER: Order! Members of the opposition have been given a very, very good go by me this morning.

Mr Malone: We are being provoked.

Mr SPEAKER: Well, settle down. Members of parliament are provoked by each other all of the time—one time this side; the other time that side. Let's settle down. The minister has the floor.

Mr SCHWARTEN: Thank you, Mr Speaker. The test here today is to see whether the Leader of the Opposition will come clean on this matter. Will he eyeball the member for Warrego, get to the bottom of this and make a public statement later today to clarify this matter once and for all?

Mr Springborg: I'll ring up Pete and find out how to do it.

Mr SPEAKER: I warn the Leader of the Opposition.

Mr SCHWARTEN: Or does he support the use of electorate offices as promotional tools for private companies in this state?

Mr Hobbs: I move an extension of time for the Leader of the House to further explain how on earth I could possibly benefit out of this, and I thank him for the promotion he has made for the Mooney corporation.

Mr SPEAKER: It has been moved by the member for Warrego that the minister be given further time. All of those in favour say 'aye'—

Opposition members interjected.

Mr SPEAKER: Order! You have asked for an extension of time and I expect the members of the opposition—

Opposition members interjected.

Mr SPEAKER: I say to the member for Warrego that the minister is not time limited in this regard. I am saying that with serious—

Opposition members interjected.

Mr SPEAKER: I again say, and this brings me mirth, that under the standing orders of this House there is no limitation on the time for ministerial statements. If you would like to hear more on this matter, I am perfectly able to ask the minister if he would like to say more. If you would like to hear more—and you have asked that—I am now going to the minister.

Mr SCHWARTEN: Thanks, Mr Speaker. I would have thought that the honourable member who used to be a minister until he got chucked out would know that there is no time limit.

Mr Hobbs: Now he's getting dirty.

Mr SCHWARTEN: And we know why he got chucked out. The reality is that this is a laughing matter for those opposite.

Mr Hobbs: Yes, it is. Absolutely.

Mr SCHWARTEN: But I don't think it is a laughing matter for the taxpayers.

Mr SPEAKER: I warn the member for Warrego under standing order 252.

Mr SCHWARTEN: We know the humour with which they greet the concept of conflict of interest. But that is what is at stake here today. For many years people like the member for Warrego have believed that this parliament is just a plaything and a side interest to the normal businesses that they run.

Mr Rickuss interjected.

Mr SPEAKER: I warn the member for Lockyer under standing order 252.

Mr SCHWARTEN: Thank you, Mr Speaker. This is a serious matter, but it is a laughing matter to those opposite including the Leader of the Opposition, who obviously believes that it is perfectly all right to promote a product in an electorate using the good offices of this parliament which are provided by the taxpayers of Queensland. Let the record show that the members who sit opposite here—the Liberals and Nationals—think the electorate office is there for them to use to promote private products in this state.

Mr Gibson interjected.

Mr SPEAKER: I warn the member for Gympie under standing order 252.

Mr SCHWARTEN: The member for Gympie obviously thinks it is all right for him to use his electorate office to promote private products using the taxpayer provided services that he has. We do not believe that on this side of the parliament.

Mr Johnson: You only promote the Labor Party.

Mr SCHWARTEN: If a member of parliament wants to give an endorsement to a product, so be it. But one would have to ask why they are using their good offices to promote it and one would also have to ask whether they are deriving some benefit from it that ought to be explained in the pecuniary interests register. It is a pretty simple thing to do.

Mr Johnson: What about all your Labor offices—

Mr SPEAKER: I warn the member for Gregory under standing order 252.

Mr SCHWARTEN: I am surprised at the member for Gregory, because I do not think he would be using his electorate office for personal gain.

Mr Johnson: Absolutely not, and I'm surprised at you, Robbie—

Mr SPEAKER: Member for Gregory!

Mr SCHWARTEN: I find that very surprising if he were to do this. I do not believe that he would endorse a practice such as using his electoral, taxpayer funded services—

Mr JOHNSON: Mr Speaker, I rise to a point of order. No, I do not use my office for anything wrong. But I will say this: I think this is absolutely ridiculous the way you are going on.

Mr SPEAKER: There is no point of order.

Mr JOHNSON: You are a minister of the Crown. What has this got to do with running the state? You should be ashamed of yourself.

Mr SPEAKER: Member for Gregory, that is a frivolous point of order and I think you know that you have been warned. I indicate to you that the next time you swerve away from the standing orders you will be out of the House again today.

Mr SCHWARTEN: There are other ministers who have a contribution to make here this morning. But let me finish on this point: the hilarity and anger speaks volumes about what is happening over there. I know that the former Leader of the Opposition pulled the member for Burnett into line one night over a matter of impropriety in this parliament. The Leader of the Opposition's test today is to come clean about this matter and tell the people of Queensland whether he supports this practice or whether he does not. Will he do what he did not do in relation to the member for Caloundra and come clean and tell people the result of the conversation that he had with the member for Warrego today?

Queensland Ports

Hon. RJ MICKEL (Logan—ALP) (Minister for Transport, Trade, Employment and Industrial Relations) (10.18 am): I would like to inform the House of the planned expansion and strong growth of ports in Queensland. The Port of Brisbane Corporation Ltd is performing strongly. Container trade hit an all-time high last year, surpassing the growth of all east coast capital city port competitors, and growth is continuing as investment in capital works at the port progresses.

In January, agreements were signed with Hutchison Port Holdings to be the third stevedore company operating at the port of Brisbane upon the construction over the next five years of two new berths worth $536 million. Bundaberg Port Authority merged with the Port of Brisbane Corporation Ltd in October 2007 to become the Bundaberg Port Corporation Pty Ltd—a wholly owned subsidiary with a solid future.

The Ports Corporation of Queensland's trading ports are all busy, led by the world's largest coal exporting port of Hay Point which shifted 86.2 million tonnes of coal last year. At Abbot Point, the newly completed $116 million coal terminal expansion project has increased capacity from 15 million to 21 million tonnes per year. Bauxite exports drove Weipa to a record trade of 19.7 million tonnes last year, while the port of Gladstone achieved record coal exports of 51.5 million tonnes.

The Central Queensland Ports Authority completed its largest ever capital works program at the RG Tanna coal terminal in December 2007, increasing its coal export capacity by 30 million tonnes a year. The Cairns Port Authority is off to another strong year for both its airport and seaport, boosted by a robust economy and increased tourism. Work continues on the $192 million redevelopment of the passenger terminal at the Cairns International Airport by the Port Authority due for completion in 2010. Four million passengers passed through Cairns airport last year and this trend will continue as new airlines come into the market.

Finally, the port of Townsville remains a major contributor to north Queensland's economy, with 9.6 million tonnes of cargo and record livestock shipments passing over its wharves last year. The Townsville Port Authority completed a major long-term strategy plan for the port, which indicated up to a threefold growth in trade through the port over the next 25 years.

Primary Industries, Outlook

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries and Fisheries) (10.21 am): Despite drought, flooding rain, rising interest rates and a high Australian dollar, the outlook for Queensland's primary industries in 2007-08 remains strong. The latest Department of Primary Industries and Fisheries figures, which I am releasing today, forecast the value of Queensland's primary industries at just under $12.5 billion. That figure is three per cent higher than 2006-07, with the forecast gross value of production for many industries higher than last year. The farm gate value of Queensland's primary industry commodities is forecast at $9.624 billion and first-round processing is estimated at more than $2.85 billion.

While the rain in central and north Queensland brought much-needed relief, flooding also caused problems such as restricting mustering and hampering road transport of cattle. These problems contributed to a decline in cattle slaughterings in January and a forecast gross value of cattle production of $3.4 billion. But on a positive note, the increased rain and prospects of better pasture growth are likely to encourage producers to hold stock for finishing and to rebuild herds. The rain also is expected to benefit cropping industries with the Burdekin Falls Dam and the Fairbairn Dam now full. The increased soil moisture, replenishment of on-farm water storages and access to irrigation water will benefit future crops, particularly in central Queensland.

The gross value of cereal grain production is now forecast at $880 million—80 per cent higher than 2006-07. This has been supported by high feed grain prices and high demand throughout much of the year. While sugarcane production is similar to last year, the gross value of the 2007 sugarcane crop is forecast at $810 million. While this is 25 per cent lower than last year, prospects for this industry are positive due to an upturn in the sugar market.

The rain has also benefited the lifestyle horticulture industry, with increased consumer spending on related products and services. The forecast gross value of production for lifestyle horticulture production is now $605 million—nine per cent higher than last year. Further information from the March 2008 edition of *Prospects Update* can be found on the DPI web site.

MOTION

Suspension of Standing and Sessional Orders

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (10.24 am), by leave, without notice: I move—

That so much of the Standing and Sessional Orders be suspended to enable the Gas Supply Amendment Bill 2008 to be introduced later today to be declared an urgent Bill to enable the Bill to be passed through all stages at this day's sitting.

Question put—That the motion be agreed to.

Motion agreed to.

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE

Police Commissioner, Ministerial Directions

Mr HOOLIHAN (Keppel—ALP) (10.24 am): I lay upon the table of the House, pursuant to section 4.7(4) of the Police Service Administration Act 1990, the following: a letter from the Chairperson of the Crime and Misconduct Commission, Mr Robert Needham, to the Parliamentary Crime and Misconduct Committee, dated 16 January 2008; and a certified copy of the *Register of reports and recommendations to the police minister, ministerial directions and tabled ministerial reasons 2007* dated 11 January 2008, with a copy of the covering letter to the Crime and Misconduct Commission from the Commissioner of the Police Service, Mr Atkinson, dated 14 January 2008.

Tabled paper: Certified copy of the 'Register of Reports and Recommendations made to the Police Minister, Ministerial Directions and Tabled Ministerial Reasons 2007'.

Tabled paper: Letter, dated 14 January 2008, from R A Atkinson, Commissioner of Police, Queensland Police Service, to Mr Robert Needham, Chairperson, Crime and Misconduct Commission, relating to the Register.

Tabled paper: Letter, dated 16 January 2008, from Mr Robert Needham, Chairperson, Crime and Misconduct Commission, to Mr Hoolihan, relating to the Register.

Section 4.7(4) of the Police Services Administration Act 1990 provides that the chairperson of the committee is to table in the Legislative Assembly a certified copy of the register and all related comments within 14 sitting days after receipt by the chairperson. The register was received by the committee on 16 January 2008. The register records that during 2007 no reports and recommendations, ministerial directions or tabled reasons qualified for inclusion in the register. In his letter to the committee, Mr Needham advises that he is furnishing the register without further comment.

QUESTIONS WITHOUT NOTICE

Torres Strait Islands, Safety of Public Servants

Mr SPRINGBORG (10.26 am): My question without notice is to the Minister for Health. Following the alleged rape of a nurse, the minister tabled yesterday what he claimed was the original risk assessment report for health services on Torres Strait Islands. As damming as the report was, the minister failed to tell this parliament that it was a doctored report, a sanitised report, a rewritten report designed to protect the minister and the Premier. I table the original report—the one that has not been doctored and the one that the minister failed to release.

Tabled paper: Copy report by Queensland Health titled 'Torres Strait Islands Risk Assessment Report.'

Will the minister explain why he released a dishonest report, where the likelihood of a security incident on Mabuiag Island was originally classified as 'almost certain' and 'expected to occur' all of a sudden became 'possible' and 'could occur once'?

Mr ROBERTSON: What I tabled yesterday was the report that was provided to me by the department.

Torres Strait Islands, Safety of Public Servants

Mr SPRINGBORG: Mr Speaker—

An opposition member: Sergeant Schultz!

Mr SPRINGBORG: Sergeant Schultz, eat your heart out!

Mr SPEAKER: Leader of the Opposition, I have already said to you today and I will indicate to you again that you are disrespecting the standing orders of the parliament and you are disrespecting me as the chair on occasions as well. I ask you to get on with asking a question if you have a second question.

Mr SPRINGBORG: My second question without notice is also to the Minister for Health. When it comes to the safety of nurses, the buck stops with the minister. There should be no more blame games in scenes reminiscent of the Beattie-Bligh government's denial and then cover-up of Dr Patel. In the original report that the minister did not release yesterday, the introduction said, 'There are some significant risks that need to be addressed immediately'—I repeat, immediately—'to provide a safe working environment for staff.' Will the minister explain why in his doctored report he has expunged the word 'immediately' when saying security issues need to be addressed?

Mr ROBERTSON: Mr Speaker, I rise to a point of order. I find that untrue and offensive and I ask him to withdraw.

Mr SPEAKER: I indicate to the Leader of the Opposition that you are asking a hypothetical question. The minister has just given an answer a little while ago. You are asking a hypothetical question.

Mr COPELAND: Mr Speaker, I rise to a point of order. With respect, that is not a hypothetical question. It was a direct question about the report that was not tabled yesterday.

Mr SPEAKER: I am indicating to you that the words that have been mentioned by the Leader of the Opposition in terms of 'his doctored report' make it hypothetical.

An opposition member interjected.

Mr SPEAKER: If you want to beg to differ the chair—I am asking the Leader of the Opposition to ensure that his words are accurate in how they are being asked. I call the Leader of the Opposition.

Mr SPRINGBORG: Will the minister explain to the House why in the doctored report the word 'immediately' has been expunged when saying 'security issues need to be addressed'? Was it because the minister was more interested in saving his political hide and that of the Premier than nurses in Queensland?

Speaker's Ruling, Question Out of Order

Mr SPEAKER: Before I ask the Minister for Health to reply to that question, I ask the Leader of the Opposition to respectfully listen to what I am saying: I go to standing order 115 which states—

The following general rules shall apply to questions without or on notice:

…

Questions shall not contain:

…

imputations ...

The question quite clearly contains an imputation. You can ask a question in this House in a respectful way having regard to standing orders. I therefore say that your question is out of order in regard to standing order 115. The opposition needs to learn how to ask these questions within the bounds of standing orders.

Mr COPELAND: I rise to a point of order. The Leader of the Opposition's question was clearly directed at the report that had been released yesterday in comparison with the report that was tabled this morning. There is a clear difference in the wording in both of those reports and the question put by the Leader of the Opposition, with respect, has no imputation, it is reflecting on the wording of each of those two reports.

Mr SPEAKER: I would ask that the question come up to me, please.

Mr Malone interjected.

Mr SPEAKER: Member for Mirani, I heard that.

Mr Malone: Well, it is true.

Mr SPEAKER: I heard that, member for Mirani, and I am asking you to withdraw that statement because it is a reflection on the chair.

Mr MALONE: I withdraw it.

Mr SPEAKER: I have asked the Leader of the Opposition to take out the areas of imputation and I would ask the Leader of the Opposition to ask the question again.

Mr SPRINGBORG: When it comes to the safety of nurses the buck stops with the minister. There should be no more blame games in scenes reminiscent of the Beattie-Bligh government's denial and then cover-up of Dr Patel. In the original report that the minister did not release yesterday the introduction reads, 'There are some significant risks that need to be addressed immediately'—that is, immediately—'to provide a safe working environment for staff.' Will the minister explain the divergence between the original report and the doctored report when it comes to the word 'immediately' and its removal when talking about security issues that need to be addressed?

Mr ROBERTSON: I have already informed the House that of course I have not seen this report so I cannot vouch for its veracity or, indeed, in terms of any preparation of draft documents where that may arise. What I will do, however, is refer this document to the CMC.

Opposition members interjected.

Mr ROBERTSON: It is a bit rich, because earlier this week we had the opposition running around the place calling for bureaucrats to be held to account for what happened in the Torres Strait. They were demanding action from the minister that this be fully investigated, that we take action. So what do we do? We of course undertake an independent—

Opposition members interjected.

Mr ROBERTSON: I am sorry? Is there some suggestion that the CMC is not independent? Is that what the opposition is saying? What we do is refer these matters to an external and independent organisation for investigation—the quite proper course to be taken in such circumstances where there is conflicting information about what happened and who was responsible. What we have here is a report that we know was not sent higher up the management chain of the organisation and at no time made it into my office or to me. What we do need to find out is who is responsible for that so that this never happens again. We have taken the quite proper action to refer it to the CMC so that it can be independently reviewed and not, as the member for Burnett alleged yesterday—for which he should apologise—that I become involved in such investigations and have an impact on outcomes. The member for Burnett slandered me yesterday on Townsville radio. He would apologise for that if he had any decency whatsoever, but I am not going to hold my breath. What I will be doing is taking the ethical path and having this matter fully investigated. I will be referring this document to the CMC so that we can get to the truth about what went on and I will not put up with the ongoing slander and muckraking which the member engages in.

Public Sector Reform

Ms JONES: My question without notice is to the Premier. Can the Premier please advise the House of the benefits that the new public sector reforms will have for Queensland families?

Ms BLIGH: As members know, yesterday I announced significant and sweeping reforms to the Queensland public sector that will help create a modern, efficient Public Service. Why is this important? It is important so that we can have confidence every day that every single dollar that we put into direct front-line services is going where it is needed.

Let me take, for instance, the proposal that I outlined yesterday to create QCAT, the new Queensland Civil and Administrative Tribunal. This is modelled on a tribunal that exists in Victoria which provides a one-stop shop, single gateway into the lower end of the justice system for people who have small claims that they need to have adjudicated or they wish to lodge an appeal against an administrative decision against them. This might seem quite small to some people, but for many people this will be the only contact they have with the justice system in their lives and it often involves matters to do with how they run their business or matters to do with how they live in neighbourhoods and is important to them.

We currently have 26 tribunals providing this sort of justice. Frankly, it is important for the integrity of our system that we improve that. It costs roughly the same amount to administer the decisions of those 26 tribunals as the Victorian system costs but the Victorian system is dealing with 40,000 more complaints with the same resources. If we can pick up 40,000 more complaints with the same resources out of this reform, not only can we hope to see more people getting justice more quickly, and throughout regional Queensland particularly, but we can also expect to see some quantifiable financial savings.

What I hope to be able to do is identify those over time as these reforms roll out and advise the House and the Queensland public where those dollars are going. Where I want to put them is in places like health, education, child safety, disabilities, police—areas at the front line of service delivery where Queensland families rely on government assistance.

Similarly, we currently have more than 600 statutory boards and authorities. Many of these have existed for many decades. They have been put in place by successive governments of all political persuasions, in many cases for well-meaning purposes. It is time to look at whether they still meet those purposes. For example, at one stage there were 13 separate boards and statutory authorities overseeing the Brisbane River—one river with 13 different river management groups. It is time for us to have a very forensic look at what we need to put in place and to remove the things that are no longer necessary.

Mr SPEAKER: Honourable members, I would like to welcome to the public gallery teachers and students from the Acacia Ridge State School in the electorate of Algester, represented in this House by Karen Struthers MP.

Torres Strait Islands, Safety of Public Servants

Mr McARDLE: My question is to the Premier. Yesterday the Premier assured Queensland that there was no cover-up in relation to the alleged rape on Mabuiag Island. Given the report tabled today, is the Premier still saying there has been no cover-up?

Ms BLIGH: I thank the honourable member for the question. I asserted yesterday that this government has been involved in absolutely no cover-up in relation to the matters on Mabuiag Island including the reports that have been the subject of discussion today. I repeat that assertion. I reject outright any suggestion that I or the Minister for Health or anybody in the Minister for Health's office has in any way acted to cover this up. I have seen absolutely no evidence to support such an assertion.

On the contrary, what I have seen is the Minister for Health provide every document that has been requested of him and put it into the public arena.

Miss Simpson: How come we can get the reports and you can't?

Ms BLIGH: I am happy to take the interjection from the member for Maroochydore because it is a very good question. If there was a report that had more serious material in it there is a very serious question to be answered. Why was that report not forwarded to the people who had a budget to do something about it, a job description that requires them to do something about it and a responsibility to take action?

I congratulate the Minister for Health for sending this matter to the CMC. I look forward to seeing the outcome. I have seen no evidence provided here today—none—that the Minister for Health has in any way acted inappropriately. But if there is someone in Queensland Health who has, then the CMC has a proven track record of establishing these matters. People will be asked to give evidence about these matters. I expect the CMC to get to the bottom of this.

No government can operate without having some confidence that the senior people across the public sector who are charged with the responsibility to manage public resources do so effectively. Some of the matters in this report, while they are very serious, are matters that could and should have been fixed immediately, with the resources and the budget available to the district area. There is a very good question to be asked: why was it not done? If there was ever a demonstration of the need for us to continue to focus on public sector reform then the circumstances surrounding this report demonstrate it.

Local Government Reform

Mr LAWLOR: My question without notice is also to the Premier. On Saturday local government elections will be held throughout the state. Can the Premier please advise what effect the local government reform process will have on the local government landscape in our state?

Ms BLIGH: I thank the member for the question. This has been, as everybody in this House knows, a very controversial reform. There are many people who have very strong views about it—both positive and negative. By and large, it seems to me that things are becoming quite exciting at the local level. People are getting very interested in the local government elections and they are interested in how their new regional councils will operate.

While some people initially criticised the reform, frankly, the majority have just simply got on with the job and are now transitioning to new councils. As a result we will have 72 unified regional councils that bring together the best of each of their communities.

The process over the last 12 months, in my view, has been a blueprint for successful, cooperative amalgamation, even where the parties were initially reluctant. It is a blueprint that the Leader of the Opposition could take a very good look at. He could maybe take a leaf out of the book of the government in this case. When he became the new recycled leader of the National Party and the opposition a couple of months ago he made a lot of promises about amalgamation. One was that he

would provide news on the merger of the new party within 28 days of becoming leader. Some 50 days have passed since the 28-day deadline and all we have heard is criticism from the Liberal Party about the proposition. We have heard Senator Trood call the idea self-serving. Senator Suzanne Boyce described the proposal as bizarre.

Mr COPELAND: Mr Speaker, I raise a point of order. Could I ask you to rule on standing order 118(a) regarding debating a question. The Premier is debating a completely separate question to the one she was asked.

Ms BLIGH: Mr Speaker, I am raising the issue of amalgamation in context.

Mr SPEAKER: As set by the precedent of Speaker Turner, there is no point of order. I call the Premier.

Ms BLIGH: Senator George Brandis dismissed the merger as being more about Mr Springborg's return to the leadership than a serious strategy. On Saturday we will see—

Mr COPELAND: Mr Speaker, I raise a point of order. My understanding is that the ruling by Speaker Turner related to relevance. My point of order relates to debating the question, standing order 118(a).

Mr SPEAKER: I cannot agree with the member. There is no point of order. I call the Premier.

Ms BLIGH: Those opposite do not want to hear about it. Their so-called merger is going backwards very quickly. After Saturday's election for local government councils, Sunday will be the beginning of the real leadership test of the member for Southern Downs. If we are not sitting here in the next sitting of parliament—in more than 28 days time—facing a single, united party then he will have failed his own test of leadership. Watch on Sunday. The bloodbath begins on Sunday. The death of the new conservative party will start on Sunday. I predict we will see it all next week.

Torres Strait Islands, Safety of Public Servants

Miss SIMPSON: My question is to the Minister for Health. In the original version of the Torres Strait risk assessment report the risk of a security incident occurring was classified as 'extreme' in 10 out of the 11 health facilities. In the doctored report the minister released, 'extreme risk' was downgraded to 'very high risk' in each of 10 cases. The minister says that there has been cultural change in Queensland Health. Is this not evidence that nothing has changed in Queensland Health and there is still a culture of cover-up? When will he take ministerial responsibility?

Mr ROBERTSON: Mr Speaker—

Mr SPEAKER: Before I ask the Minister for Health to respond, I again say to the opposition—in particular to the Leader of the Opposition and the Deputy Leader of the Opposition—that with regard to standing orders I can rule the question out of order in two areas: the hypothetical nature and the imputation. I am really asking you once again in this session to think more clearly about how you are asking these questions. The standing orders are there. I will allow the Minister for Health to answer this, but I am asking members of the opposition to please read the standing orders, understand the standing orders and actually phrase their questions in a way that adheres to the standing orders.

Mr ROBERTSON: Let us not get caught up in the spin here. If we actually look at the document that the member has referred to we will see that the changes that have been alleged do not amount to any downgrading of the seriousness of the content of the final report that was tabled yesterday. In the document that has been tabled by the opposition this morning for one island it says, 'Identified hazard, Likelihood: almost certain, Consequences: major, Risk = extreme'. That was changed to, in this case, 'Likelihood: possible, Consequences: extreme, Risk = very high'.

At the end of the day what we have is a problem. We have a serious problem. Let us not get caught up in what order of words ended up being in one document and the next. We have a serious problem on the Torres Strait that has to be fixed. That is the end of it. What we need to do now is get on and do the work to fix those problems. Let us not engage in some sort of weird conspiracy theory, which the opposition is always famous for. Whichever document one looks at, there is a serious problem with maintenance and security in the Torres Strait. Hands up: I admit that and have done so for over a week now, and what we are doing is getting on and fixing it.

Local Government Reform

Mr REEVES: My question is to the Deputy Premier. Can the Deputy Premier inform the House how amalgamations will improve the ability of local governments to do better planning and manage growth across Queensland?

Mr LUCAS: I thank the honourable member for the question. The honourable member has travelled the length and breadth of Queensland and is very much in touch with grassroots opinion. Unlike the other side of the House, Labor is serious about strengthening the role of local government. On Saturday the number of councils in Queensland will go from 156 to 72. It will create regional councils centred on key economic hubs. These larger councils will have a greater ability to employ planning

experts to deal with the growth in planning as our dynamic state and regional economy grow. It will also allow councils to better protect the integrity of their planning schemes in terms of defending their scheme in court. This will give them the economic muscle to do that. The state is already working with councils, of course, with our statutory regional planning to help them defend their planning schemes, and shortly we will begin a full electronic development assessment process trial.

But that is not the only amalgamation that is on people's minds in Queensland. Without any doubt the Leader of the Opposition made as the most important cornerstone of his leadership the issue of an amalgamation of the conservative parties. There has been a fair bit of political comment in the community about the merger of the National and Liberal parties and some of it has suggested that it is incompetence and ineptitude. I do not have a bar of that. The suggestion by the Leader of the Opposition for the merger of the National and Liberal parties is a very clear, calculated and deliberate attempt by a declining National Party to take over the Liberal Party before it is too late. At the 1987 federal election the National Party received 11½ per cent of the primary vote. Some 20 years later, it was down to 5.49 per cent. Indeed, at the last federal election the Greens outpolled the National Party. It realises that its inextricable decline will consign it permanently to never being able to occupy the treasury benches with the premiership—never be able to do it.

This is about the Leader of the Opposition taking over and rolling over the Liberal Party. When will the Liberal leader wake up on issues such as tree clearing, daylight saving, gun control and recycled water? When will he and his supporters realise that this is about the National Party using the Liberal Party support base to take over from it? No wonder Campbell Newman does not want to talk about it coming into the council election! He is trying to make some mileage with environmental policies. They will 'Borby' out the door when the National Party tail wags the Liberal Party dog. That is the future of conservative politics and for conservative voters in Queensland—to have a National Party takeover. Of course the Leader of the Opposition wants to take over the Liberal Party. Why wouldn't he? Distractions about what its name will be and distractions about where it will be are all merely sideshows. The real game is that the Leader of the Opposition is playing the Liberals off a break, and that is how he will behave.

Torres Strait Islands, Safety of Public Servants

Mr NICHOLLS: My question is to the Minister for Health. Yesterday in the House, in response to a question about the *Torres Strait risk assessment*, the minister said—

> In terms of our response to what has occurred up on the Torres Strait based on what has come to our attention subsequent to that, we have at all times been open and transparent. That includes what we have done here—that is, we have tabled the report ...

Did the minister mislead this House yesterday or, in scenes reminiscent of the Dr Patel case, is he going to blame his department—the same old response Queenslanders always get from this government?

Mr ROBERTSON: The opposition and indeed the broader community, including the media, have quite rightly, from the days of the Bundaberg inquiry, called for a more transparent health service in this state. What we have done over the last number of years is respond to that to the point that, arguably, Queensland Health is the most transparent health department anywhere in Australia. The mountain of information that we provide on a regular basis on hospital performance, which we get held accountable for—more so than any other state or territory in this country—is there for all to see. I am not going to be dissuaded from continuing to go down that path by cheap political shots such as we hear today. I have a determination to continue down that path of openness and transparency. Why otherwise would I have agreed to the tabling of this document? As soon as I received it and subject to checking that it was appropriate to do so, it was tabled.

No amount of spin from the opposition alleging that I was reluctant to release the report or that I obfuscated will get past the fact that, after a simple check of the legality of tabling that document, I was always prepared to do so and said so publicly, and we get held to account now for our response to that document. It beggars belief that any minister in any government can do anything if they are not provided with a copy of a report that requires action to be taken. It is on the receipt of that report by a minister and his or her office that we get held to account for the actions that we undertake or do not undertake. What we have been able to demonstrate this week is that, upon receipt of that report—upon it finally coming to light, and I have expressed my dissatisfaction and my anger with it not coming to light earlier—we have taken the necessary action. But before that it was simply not possible to do so because we were not aware of its existence. Had we been aware, that report would have been acted on. That is where ministerial responsibility lays and that is where openness and transparency will continue to be adhered to as long as I am Minister for Health.

What my department needs to understand is that it does not have the luxury of not being open and transparent and allowing documents to sit on whatever desk or in whatever drawer. The opposition is right on this point: they are damning reports and they should have been acted on. The fact that they were not acted on to the extent that any reasonable person would have expected is a damning indictment on the individuals involved. But we will get to the bottom of that with an independent, open

and transparent inquiry, and I will continue to act decisively wherever there are cases such as this into the future.

Superyacht Strategy

Mrs SMITH: My question is to the Minister for Tourism, Regional Development and Industry. Minister, anyone who has been to Burleigh Beach will agree that Queensland has some of the most amazing and beautiful coastline. What is the Queensland government doing to make the most of this magnificent natural asset?

Ms BOYLE: I thank the member for Burleigh for the question. It is a lovely question to ask, not only because we as Queenslanders can be very proud of the spectacular coastline which is adjacent to the Great Barrier Reef but also because this is a fine example of how the Bligh government is changing Queensland for the better. It was once said that Queensland was an economy of rocks and crops. Well, not under the Bligh government! In fact, this is a great example of how we are leading industry towards a steadier and sustainable future through the release of the new state Superyacht Strategy.

Superyachts are very big business around the world. A modest sized superyacht costs about $40 million. On the usual estimates, it takes 10 per cent of the capital cost of the vessel in maintenance every year—that is, $4 million every year simply to look after a $40 million superyacht—and we are suggesting to the world's superyacht owners that they undertake that maintenance in Queensland waters. Yes, it is about tourism and cruising the waters, but it is also about stopping at our ports where those vessels can receive providoring and where they can be maintained and refitted by our excellent tradesmen at some considerable benefit to those regional economies as well as to our general Queensland economy. It is a great example of how in growing industries we are not simply focused on south-east Queensland—the big end of industry—but recognise that the opportunities for the industry are stronger when regional Queensland is also involved.

Therefore, the Superyacht Strategy will take account of the good work that has been done already in building the industry in Cairns. It will piggyback on the huge opportunities that exist particularly for chartering and cruising in the Mackay-Whitsunday area. It will also build on the construction and refitting industry that is part of the bigger marine industry on the Gold Coast. It will also benefit, through the port of Brisbane, the economy of south-east Queensland.

This strategy is a great example of changing Queensland for the better, a great example of Labor policy in action and a great example of regional development opportunities for the future. It is also a very good example of the very specific industry plans that my department has released for the 15 industry sectors that will take Queensland into the future.

Political Information Gathering

Mr FOLEY: My question is to the Premier. On 18 February my electorate officers received an email asking that, at the request of the Premier's office, they should spend their time scanning electronic and print media to gather source material for the Labor Party dirt file. I table a copy of this email.

Tabled paper: Copy of email, dated 18 February 2008, from Judi Jabour to electorate officers, relating to an Opposition costings register.

In light of the butt whipping of the week that was just handed out to the member for Warrego, will the Premier explain to the parliament why it is appropriate for electorate officers to spend taxpayers' money digging up dirt for political purposes?

Ms BLIGH: I thank the member for the question. It is my understanding that the Treasurer's office has written to electorate officers asking that commitments made by members of the opposition be provided to his office so that he can accurately cost them. In the lead-up to elections the opposition has been well known for and has had very strong form in going around making promises that are completely uncosted or widely inaccurate in their costings. These commitments are often made in local newspapers or at local events. The Treasurer sought advice from electorate officers about that. I make no apologies for keeping the opposition honest.

Government Vehicle Fleet, ClimateSmart 2050

Ms NOLAN: My question is to the Minister for Public Works, Housing and Information and Communication Technology. Is the minister aware of the response by other government vehicle fleet managers in Australia to Queensland's innovative ClimateSmart policy?

Mr SCHWARTEN: I wish the honourable member a very happy birthday and note her longstanding interest in climate change. Well before it became a matter of debate in this parliament, the honourable member was on the bandwagon, as it were. In December last year the Premier of Queensland, the Hon. Anna Bligh, announced our ClimateSmart 2050 policy. By showing real

leadership on this issue she led the way. As the government owns its own fleet of cars—the same fleet that was going to be privatised by those opposite—we turned our attention to setting up a green vehicle guide. Through that guide, we were able to determine that we could put in place a system whereby we would only purchase cars in the fleet of a GVG rating of 5.5 and above. We have been trialling some of those vehicles in the ministerial and SES fleet at the moment. We are making real inroads. Based on current annual carbon dioxide emissions for the Q-Fleet fleet, this would result in a reduction from 79,300 tonnes per annum to approximately 39,000 tonnes per annum.

We are showing leadership when it comes to climate change. Members should not just take our word for it; they should take the word of the manufacturers in Australia who are keen to be on board with what we are doing. Members should take note of all the other fleet managers in Australia who have been contacting Q-Fleet to get a handle on just how we are leading the way in that regard.

To be in government you have to show leadership. You have to lead from the front. You cannot go around saying the doomsaying nonsense that comes from the Leader of the Opposition, who suggested that climate change could be curbed if we got rid of volcanos. I notice an editorial in the *Courier-Mail* dated 21 January stated—

How many more leadership spills must the Queensland Liberal and National parties suffer before they acknowledge that real electoral appeal entails more than swapping heads?

That editorial stated that it was comforting to remember that Mr Springborg—the then non-Leader of the Opposition—had a plan. It was based on the Canadian model, but it got knocked over by John Howard. The editorial stated further—

Should Mr Springborg return to the Nationals' helm, he—or any other potential leaders—must press ahead with a merger.

Another article in the *Courier-Mail* stated—

The Nationals had set a January 31 deadline for the two parties.

Mr Seeney had to deliver that.

Mr SPEAKER: Honourable members, I welcome a further group of teachers and students from the Acacia Ridge State School, which is in the electorate of Algester, which is represented in this House by Ms Karen Struthers, MP.

Queensland Health, Reports

Mr LANGBROEK: My question is to the honourable the health minister. In light of his claims today that he was unaware of either of these reports, can he simply answer and advise the House: why are the two documents different?

Mr ROBERTSON: I struggle to answer such a ridiculous question. The simple fact is that when you look at both documents—and it could well be that the one that was tabled this morning was a draft—

An opposition member: Oh!

Mr ROBERTSON: I know the members opposite do not have much experience in government, but it is not unusual for a draft document to be prepared for checking and then the document is finalised. That is not actually unusual. I know the members opposite do not have any experience in government, but that is quite a regular process to go through.

If that is the case, that probably provides a pretty good explanation as to why there would be two such documents. At the end of the day, going through both of those documents highlights that there is a serious problem. Whether you look at the first version or the second version, at the end of the day there is no getting away from the fact that what was identified was a serious problem with maintenance and security in the Torres Strait, which was not acted upon but is being acted on now.

Sunshine Coast, Medical Training

Mrs SULLIVAN: My question is directed to the Minister for Health. Can the minister inform the House what the government is doing to attract more experienced doctors and medical trainees to the Sunshine Coast to meet the health needs of this fast-growing region?

Mr ROBERTSON: I thank the member for the question. Some exciting things are happening on the Sunshine Coast to improve health services for this fast-growing region. One of our most important projects, of course, is the new $1 billion tertiary hospital being built at Kawana. It goes without saying that this new hospital will require hundreds of experienced doctors to staff it.

The hospital will also have a role in providing clinical training for interns and medical students—our doctors of the future. The Bligh government has already taken steps to ensure that the Sunshine Coast has the medical workforce to meet these service and training needs. That is why we have established the Sunshine Coast's first clinical school to locally train medical students. The clinical school

is a joint initiative with the University of Queensland School of Medicine and will be based at the Nambour Hospital until Kawana Hospital opens in 2014.

There are some important benefits for the Sunshine Coast arising from the establishment of this new clinical school. It will create an international reputation for the Sunshine Coast as a major training hub for medical students and graduates. It will help attract more medical students and graduate interns to the Sunshine Coast. It will attract more experienced doctors to the Sunshine Coast to deliver clinical training for fledgling medicos. It will also help Queensland Health retain more experienced doctors and locally trained medical graduates on the Sunshine Coast.

Today, I am pleased to announce that leading Sunshine Coast clinician Dr Steven Coverdale has been appointed the inaugural head of the new Sunshine Coast Clinical School. Dr Coverdale is a senior clinician at Nambour Hospital and the Director of Medical Services for the Sunshine Coast and Cooloola Health Service District. He has also been involved in medical education for many years. It will be Dr Coverdale's job to steer the clinical school through major growth in the training of medical students on the Sunshine Coast. This new clinical school reflects the government's determination to ensure that the Sunshine Coast has the doctors it needs to meet the health challenges of the future. It also demonstrates Labor policy in action to change Queensland for the better.

Queensland Ambulance Service, Adrenalin Trial

Mr MALONE: My question without notice is to the Minister for Emergency Services. I refer to the adrenalin trial approved by the minister which will involve 1,500 Queensland heart attack victims treated by ambulance officers with either adrenalin or a saline placebo. I ask: has the trial started and, if so, what does the minister say to the 81 per cent of surveyed QAS officers who do not want to participate in the trials where a placebo is given to cardiac patients instead of adrenalin? Is the minister going to force ambulance officers to participate? Will he give a written guarantee to these officers that they will be protected from liability?

Mr ROBERTS: I thank the member for the question. Adrenalin is a drug which has been used by the Queensland Ambulance Service and, indeed, ambulance services internationally for the treatment of cardiac arrest. One of the issues with the use of adrenalin is that the scientific evidence underpinning its use is not very solid.

As we watch the medical programs on television we often see instances where a person goes into cardiac arrest and suddenly a medico appears with a syringe and injects someone with adrenalin and suddenly they recover. If only it were like that. If only it were that good. The reality is that the scientific evidence on the use of adrenalin is not very secure or very solid. In fact, it is based on research which was undertaken many years ago and has not been validated as to whether it is as effective as is commonly believed within the community.

With regards to this adrenalin trial, the facts are these: in terms of survival rate to hospital from cardiac arrest, in Queensland if a person suffers a cardiac arrest outside of hospital they have a 20 per cent chance of survival to the hospital door. So 80 per cent of people who suffer a cardiac arrest do not make it to the hospital door. Further, only 10 per cent of people who suffer a cardiac arrest—or thereabouts—outside of hospital survive back to their home.

We have been entering into discussions with other states. This is an internationally recognised proposed study governed by a university in Western Australia. It has received ethics approval from the Queensland Health Ethics Committee. It is under the auspices of the National Health and Medical Research Council and has received other ethical approval throughout Australia as well.

The proposal was for the Ambulance Service to participate in this trial from sometime this year. That ultimately is an operational decision for the Queensland ambulance commissioner. The previous commissioner was very supportive of this trial and I have asked numerous questions, as I have indeed briefed other members, both on this side of the House and the other side, about serious questions they have raised regarding issues arising from this trial.

As I have said, this is an operational decision. On the information and evidence I have been given, particularly given the fact that this trial has been given ethical approval by a number of ethics committees, if the current commissioner wishes to proceed with it he will have my support. Ultimately, this will be a decision for the Commissioner of the Queensland Ambulance Service.

Occupational Stress

Mr HAYWARD: My question is directed to the Minister for Transport, Trade, Employment and Industrial Relations. I ask: can the minister outline any recent initiatives to alleviate occupational stress in Queensland?

Mr MICKEL: Of course I can. The incidence of psychological injury, thankfully, is being reduced. We do have a unit that has been established to assist inspectors in advising employers in the private and public sector on how they might best manage and reduce the risk of psychological injury in the workplace. One of the places I was hoping to send one of these psychological injury units to was Mackay. One of the candidates in the council election, a Mr Meng, said in a newspaper article—

'As far as I'm concerned I'm not a member of any political party ...

'I have never paid membership to any political party.'

...

'I gave a donation and it appears I am a member ...

Poor Mr Meng gave this in 1997. He contacted the National Party head office in Brisbane and they confirmed that, yes, he was a member. He said—

... I don't receive any information or anything else, hence why I said I'm not a member of any political party ...

Can honourable members imagine the psychological damage done? Imagine if this merger that my friend the Leader of the Opposition wants us to have goes ahead. It is bad enough if someone discovered they were a member of the National Party. But how could they go home to the wife and kids and say that they had gone and joined the Liberal Party without knowing?

I notice that we are entering into the spirit of psychological games. We are going to have a name game for the new party that the honourable gentleman is going to set up immediately after the election. I have noticed that the parliamentary secretary to the Leader of the Opposition has already decided that he will have a breakaway conservative party because they are going to have a breakaway state. The member for Beaudesert might have a Paris headquarters for the Reunion Party. As ever, the Liberal Party has gone its own way and none more so than the member for Clayfield. Do honourable members remember that old Toyota ad, 'Oh what a feeling'? If I was the member for Caloundra I would not worry. He still only has three supporters.

Mr DEPUTY SPEAKER (Mr English): Order! Minister, please remove the photo.

Mr MICKEL: In preparation for the merged party, 'Toss-up' Tim has discovered the Mad Hatters Tea Party. The situation is this: the clock is ticking on the Leader of the Opposition. Come midnight Saturday, he has 28 days to merge the two parties. The point is this: he is too ashamed to be a member of the National Party and too scared to be a member of the Liberal Party.

Retail Competition, Gas and Electricity

Mr SEENEY: Mr Speaker—

Mr Mickel interjected. Bring back the biff!

Mr SEENEY: After your effort, old son, I would go home and practise. My question without notice is to the Minister for Mines and Energy. I refer to the introduction of full retail competition for electricity and gas from 1 July 2007 and the Premier's promise at the time that, 'not one Queenslander will be worse off under the government's proposal'. Since then, gas prices have increased by 350 per cent, electricity prices have risen by 11 per cent with another seven per cent hike proposed this year and rebates for pensioners still have not been delivered five months after they were promised. Can the minister tell the House why, despite the Premier's promise, Queensland families and Queensland pensioners are now worse off every time they go to pay their gas and electricity bills?

Mr WILSON: I thank the honourable member for the question. I suppose it is fair to say that he probably received more support and applause in here today than he ever received in his own party room when he was leader.

An opposition member: This is a serious matter.

Mr WILSON: This is a very serious issue: the cost of energy, as we are going forward. The facts are that as we do go forward with electricity and with gas we are taking a range of steps to relieve the pressure on consumers, particularly on those who are in hardship circumstances such as pensioners arising from the price increases that are taking place.

Mr Seeney interjected.

Mr DEPUTY SPEAKER: Member for Callide, you have asked the question. The minister is answering.

Mr WILSON: A number of things are happening at the same time. With the deregulation of the electricity industry, which commenced back in 1998, there has been a succession of deregulation tranches that have enabled big business and then small customers like householders to obtain cheaper electricity in the residential electricity market. That has been happening. At the same time, we have had the drought that has been pushing up the underlying cost of electricity. That has been pushing the price up.

The fact is that, despite the structural changes that have been brought in, the changes with the generation of electricity and the availability of water have pushed up electricity prices. Nonetheless, with full retail competition, especially starting in the south-east corner, customers have been able to receive between a five per cent and 10 per cent reduction on the uniform tariff payment that they would otherwise pay. There is $467 million paid each year to subsidise electricity to regional householders in the bush—$470 million. That is nothing to be sneezed at. So that is important, keeping the pressure of electricity price rises eased on the backs of ordinary householders.

In relation to gas, historically the position of gas was that the price of gas being sold was less than the cost of supply under a regulated system, and over a period of time the deregulation of the gas prices has been introduced to enable cost-reflective pricing. But be assured that we are concerned about the impact that rising gas prices and rising electricity prices are having on ordinary Queenslanders. That is why we have made a reference to the Queensland Competition Authority to review competition within the gas industry.

Schools, Environmental Sustainability

Mr LEE: My question is to the Minister for Education and Training and Minister for the Arts. Yesterday the minister released a statement on sustainability for all Queensland schools called *Enough for all forever* to help schools meet their environmental obligations. Could the minister outline to the House any new practical policies that are being implemented in his department to support environmental sustainability and to combat climate change?

Mr WELFORD: I thank the honourable member for Indooroopilly for his question. I know of his keen interest in environmental issues and his support for the issues of sustainability education in our schools. As I said yesterday, environmental sustainability and climate change are the most critical issues facing us in this generation. It is the responsibility of everyone to find ways to reduce our ecological footprint on the planet. That is why I am proud to tell the House today about a practical new initiative of our government that is helping to change our state for the better.

Our government is introducing ecofriendly 'green' transfers as a way of reducing the amount of time teachers spend travelling to and from their homes and work each day. More than 100 Brisbane teachers have transferred to schools closer to home as part of this drive to help combat climate change and improve working conditions for educators. Teachers who live on one side of the river and work on the other are spending a large part of their day travelling long distances in the car or on public transport. It is not necessary when we can find transfers for them at schools closer to their homes.

'Green' transfers enable them to teach closer to home and cut commuting time. This has multiple benefits—for our environment, for our teachers and for our students. Our environment will benefit because there will be fewer greenhouse gas emissions, our teachers will benefit because their work-life balance will improve, and our students will benefit because their teachers will have had more time to prepare lessons.

While only teachers in the Brisbane region have benefited from this scheme so far, state school teachers in other regions are also able to apply for a 'green' transfer within their region. Teachers are able to nominate preferred locations and will be considered for transfer when positions become available. Schools must agree on the transfer and teacher needs and workplace requirements will be taken into account before any transfer occurs. This is a practical way of easing traffic congestion, reducing greenhouse gas emissions and providing better conditions for teachers.

My interest in this particularly arose from the need to address the concerns of teachers some of whom live on one side of the city and drive to the other while other teachers live on the other side of the city and drive to schools near the homes of those who drove to the other side of the city.

Mr Lawlor: They're passing one another.

Mr WELFORD: They are passing one another across the bridges. Why shouldn't we be able to have an arrangement where those teachers can agree to swap jobs so that teachers on both sides of the city can attend a school closer to their homes? That is what these 'green' transfers are about. It is just one of the ways the Bligh government is changing Queensland for the better.

Gladstone Base Hospital

Mrs CUNNINGHAM: My question without notice is to the Minister for Health. In relation to Gladstone Base Hospital, given the growth in the electorate and that the Gladstone region in spite of existing bed and specialist limitations was 10th in Queensland birthing numbers, will the minister review funding allocations to the Gladstone Base Hospital to allow the reopening of the children's ward and medical ward closed several years ago to allow for proper growth in medical and specialist services to the community?

Mr ROBERTSON: I thank the member for the question. As the member would be aware, maternity services in Gladstone are under some pressure principally because of the difficulty the private hospital in Gladstone is having in filling positions. This of course has a spillover effect on the public

hospital. The simple fact is that the pressures and inability to recruit by the Mater Private Hospital in Gladstone is indicative of the overall shortage of qualified obstetricians and gynaecologists right throughout Australia, whether it be in the private or public sector. What we want to try to do, however, is work with the Mater Private Hospital in Gladstone.

As I mentioned, the private hospital in Gladstone has advised that if it cannot fill vacant positions there is a high probability that it will be forced to cease the provision of private maternity services, thus impacting on activity at the Gladstone Base Hospital for those patients electing to stay locally. The Mater has indicated that it currently has midwifery staffing secured up to June 2008. Gladstone Base Hospital is preparing for the possibility of the private hospital ceasing its private birthing service. Activity data indicates that if the private birthing service were to cease the Gladstone Base Hospital would have to increase its midwifery staffing establishment, so recruitment strategies have been developed to meet this demand in anticipation. So plans are in progress to commence floor redesign and refurbishments of the ward and labour room configuration to effectively meet any possible increase in activity. The Central Queensland Health Service District continues to consult closely with the Mater on this issue.

This indicates that we are aware of the pressures that the private hospital in Gladstone is under in terms of the recruitment to its maternity services. We have taken proactive steps in Gladstone that should the Mater not be able to fill its vacancies by the middle of this year we will be in a position to pick up that slack. That gives members an indication of the level of proaction, at least amongst management in the central district, that where they have identified the problem they are not sitting back and doing nothing; they are actually getting on with the job to ensure that the people of Gladstone can continue to enjoy the services that they have had in the past.

Mr SPEAKER: Honourable members, I would like to welcome to the public gallery today teachers and students from Northgate State School in the electorate of Nudgee, which is represented in this House by Minister Neil Roberts.

Child and Family Support Hubs

Mr WEIGHTMAN: My question is to the minister for communities. How does the Department of Communities reach young families in need who may not come knocking on the door looking for assistance?

Ms NELSON-CARR: I thank the member for Cleveland for his question. Everybody in here would know that the Bligh government supports a very innovative model called child and family support hubs, and these hubs provide a really invaluable opportunity to deliver prevention and early intervention programs for families at the absolute grassroots level. The Department of Communities now funds 26 child and family support hubs right across the state, including five in Indigenous communities. Last week I had the very great pleasure of opening the Redland-Bayside Child and Family Support Hub with the members for Cleveland, Redlands and Capalaba, and I was made very welcome.

With $330,000 in funding over three years from my department, this hub will also be the first family support service delivered by the peak body Playgroup Queensland. This organisation already supports over 1,300 community playgroups and more than 19,000 families, so it is very well placed to take on the new service. The Redland-Bayside Child and Family Support Hub has a very important task to perform. For local families with young children aged from birth to eight years, it will offer a range of programs which are tailored for Aboriginal and Torres Strait Islander families, culturally and linguistically diverse families, families with young parents and families affected by disability or mental illness. Among its programs are a telephone and drop-in referral and information service, early intervention activities like community playgroups and parenting, and child development courses. Another element that will garner community support no doubt will be its resource centre and its toy library.

These hubs and the services provided by my department are an essential part of how this government is changing Queensland for the better. I am looking forward to updating the sector again when I open the 2008 Playgroups Conference in May, which will be an opportunity to showcase this model of best practice. Talking of best practice, I would like to recognise and acknowledge in the gallery today my parents who are sitting up there—my father in his 80th year.

Honourable members: Hear, hear!

Mr SPEAKER: Question time has expired.

PRIVILEGE

Councillor Jane Prentice

Hon. N ROBERTS (Nudgee—ALP) (Minister for Emergency Services) (11.30 am): Mr Speaker, I rise on a matter of privilege suddenly arising. This morning in a matter of privilege, I referred to a letter from Liberal Councillor Jane Prentice that was tabled in this House by the member for Clayfield. At the time I spoke in parliament I had had no response from Councillor Prentice. Within an hour of speaking,

Councillor Prentice's office contacted my electorate office and asked for the fax number of my office at Parliament House. I have now received a letter from Councillor Prentice which I table.

Tabled paper: Copy of letter, dated 12 March 2008, from Councillor Jane Prentice to Hon Roberts, relating to Banyo Railway Crossing.

The letter is dated 12 March but was only sent after I spoke in the House this morning. Councillor Prentice's letter states in part—

From your letter it is clear that you believe that I have misunderstood your request. Of course, as that is your view or if I have in any way caused you any concern then naturally I apologise. I note that you have been put in a difficult situation and certainly do not wish to make it any worse for you.

Councillor Prentice has given a conditional apology which in my view does not address the specific concerns I have raised. This morning I have advised the House that I am seeking legal advice in regard to Councillor Prentice's letter to the electors of Banyo and Nudgee. I will refer this latest letter to them for further advice.

WATER FLUORIDATION BILL

Second Reading

Resumed from 12 March (see p. 776), on motion of Mr Robertson—

That the bill be now read a second time.

Debate, on motion of Mr Horan, adjourned.

HIGHER EDUCATION (GENERAL PROVISIONS) BILL

First Reading

Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (11.30 am): I present a bill for an act to provide for the establishment, recognition, registration and operation of higher education institutions and the accreditation of courses offered by certain higher education institutions, and for related and other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Second Reading

Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (11.30 am): I move—

That the bill be now read a second time.

The purposes of the bill are threefold. Firstly, it repeals the Higher Education (General Provisions) Act 2003 and creates in its place a new Higher Education Act to implement the new National Protocols for Higher Education Approval Processes. Secondly, it amends the Education (General Provisions) Act 2006 to clarify that a fee can be charged in respect of non-state school students who undertake one or more subjects provided to them by a state school of distance education. Lastly, the bill amends the Vocational Education, Training and Employment Act 2000 to implement reforms to the group training market arising out of action 18 of the Queensland Skills Plan. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

The *National Protocols for Higher Education Approval Processes* were originally approved by the Ministerial Council on Education, Employment, Training and Youth Affairs (known as MCEETYA) on 21 March 2000.

These National Protocols are a key element of a national quality assurance framework for Australian higher education.

They have been designed to ensure consistent criteria and standards for higher education approval processes across Australia.

They provide a common framework for regulating the establishment and recognition of new universities, the operation of overseas higher education institutions in Australia and the accreditation of courses offered by providers of higher education other than universities.

Following extensive national consultations, MCEETYA approved a new edition of the National Protocols on 7 July 2006, and further revised the new edition on 31 October 2007.

The aim of revising the National Protocols was to ensure that they remain at the level of international best practice in the higher education sector.

To elaborate on the provisions of the new National Protocols, MCEETYA also approved the National Guidelines for Higher Education Approval Processes.

Individual states and territories have the responsibility for implementing these new Protocols and Guidelines through legislation.

In Queensland, implementation will occur via the creation of a new Higher Education Act to replace the existing Act.

Due to the extensive nature of the required changes, I have decided that the development of a completely new Act is the most straightforward way of including the necessary amendments in the statute book.

The Bill I have presented to the House has been developed accordingly.

The Bill implements the new National Protocols and the National Guidelines by including approval processes for a number of new categories of higher education institutions:

- specialised universities,
- university colleges,
- specialised university colleges and;
- self accrediting higher education institutions.

To become a specialised university, an institution will be required to deliver Australian Qualifications Framework higher education qualifications in one or two broad fields of study only, as opposed to three or more broad fields of study for a full university.

An international example of a specialised university is the University of Arts, London which specialises in art, design, fashion and the performing arts.

For Queensland, this opens up the opportunity for university level institutions to undertake teaching and research in specialised areas of strength to complement emerging industries.

One key criticism of the original National Protocols was that they posed too high a barrier for potential new 'greenfield' universities, particularly in relation to the research requirement for full universities.

The new National Protocols address this situation by allowing for a new category of institution with the title 'university college', which is catered for by the Bill.

The university college category is designed to be a pathway towards becoming a full university.

The National Protocols require that a university college must build towards satisfying the criteria for university or specialised university status within the first five years of its operation.

In other words, the category of university college is an interim arrangement to allow an institution to develop its research and postgraduate capacity.

If, after this interim period, the institution is not able to satisfy the criteria to become a full university or a specialised university, it may seek approval to operate as another type of higher education institution, such as a non self-accrediting higher education institution or a self-accrediting higher education institution.

Currently, universities are empowered to accredit their own courses, while non-university higher education institutions must have their courses accredited through a state or territory course approval process.

The previous National Protocols did not contain any mechanism for any other higher education entities to become self-accrediting, other than by applying for university status.

Long established and highly reputable non-university providers that have attained a significant level of sophistication in their operations were required to apply to have each course they offer individually accredited or re-accredited by the relevant state or territory accrediting authority.

MCEETYA decided to create a new category of higher education institution to permit these types of institutions to apply for approval to accredit their own courses.

Therefore, the Bill also addresses this by creating a process for an institution other than a university to seek approval to become a self-accrediting higher education institution.

Authority to self-accredit may be limited to the broad fields of study and AQF higher education qualification levels in which the institution has a proven track record, or for which the institution is seeking self-accrediting authority.

This will guard against an institution attaining self-accrediting status, then branching out into fields of study in which it has no expertise, or offering courses at a higher level than it has the capacity to deliver.

The granting of self-accrediting authority will enable those institutions to be more responsive to the higher education market, and will also lessen the regulatory burden on those institutions, and the load on government.

The previous National Protocols provided for the operation of other non-university providers through a process of course accreditation.

The new National Protocols require that these providers (to be known as non self-accrediting higher education institutions) must also be registered in the jurisdiction in which they operate.

This is additional to the requirement for their courses to be accredited.

This is merely a separation of the assessment procedures for the course and provider that already existed.

The separation will allow for a streamlining of the process, as it will no longer be necessary to re-assess the institution against the registration criteria every time it seeks accreditation of another course.

The Bill also streamlines the processes for overseas higher education institutions seeking to operate in Queensland; and for interstate universities that operate in Queensland.

In relation to overseas institutions, the new National Protocols have removed the requirement for an overseas institution to offer only those courses that are comparable to an Australian course at the same level in a similar field.

MCEETYA acknowledged that the attraction of a course offered by an overseas institution may well be its distinctive difference to similar courses offered by Australian providers.

The Bill provides for this, expanding the possible range of higher education courses available for Queenslanders.

Although the requirement for comparability with an Australian qualification has been omitted, the new National Protocols require that overseas courses must still be subject to an appropriate quality assurance process in the country of origin and that local delivery, assurance and financial arrangements are scrutinised. This ensures the delivery of quality higher education within our jurisdiction.

For interstate universities, the Bill introduces a new provision for deemed approval that will allow them to automatically be able to operate in Queensland on the basis of their status as a university in another jurisdiction—in other words, a mutual recognition arrangement.

If serious issues arise in relation to the operation of an interstate university, the Bill gives me as Minister the authority to rescind its deemed approval.

The Bill also provides for the application of the standards in the National Protocols and National Guidelines to the international operations of Queensland higher education institutions, thereby upholding the standards and reputation of Queensland transnational higher education.

Lastly, the Bill provides that it is an offence to operate, or purport to operate, a higher education institution in Queensland unless the institution has the necessary approvals under the Act.

This strengthens the regulatory framework so that it supports the overarching aims of the National Protocols.

In addition to creating a new Higher Education Act, the Bill also amends the *Education (General Provisions) Act 2006* to clarify the head of power in section 52 to charge a fee for non-State school students who undertake a component of a program of distance education at a State school. Without this clarification, the State is unable to recoup any of the costs associated with providing distance education services to non-State school students.

The Bill, which is consistent with the original policy intent of section 52, will ensure that State resources are used in an equitable and efficient way.

Finally, the Bill amends the *Vocational Education, Training and Employment Act 2000* to ensure that group training is effectively meeting its objectives.

Group Training Organisations (GTOs) currently recognised under the Act are a major component of the State's training and employment system, with Queensland's 32 Group Training Organisations currently employing nearly 7000 apprentices and approximately 1930 trainees.

GTOs assume responsibility for the quality and continuity of employment and training for apprentices and trainees under their employ.

At present, there are organisations which are not recognised as GTOs under the Act, which effectively replicate the role of a GTO, in that they employ a significant number of apprentices and trainees and place them with host employers.

Because these organisations are not currently recognised under the *Vocational Education, Training and Employment Act 2000*, they are not subject to the same scrutiny as GTOs and are not required to have quality systems and training arrangements in place to support the employment of apprentices and trainees.

The amendments facilitate regulation of organisations which are not recognised as Group Training Organisations but which employ 25 or more apprentices or trainees under hosting arrangements.

These organisations, which will be known as 'Principal Employer Organisations', will be required, amongst other things, to meet a minimum subset of the relevant National Standards that currently apply to Group Training Organisations.

This will provide greater support and protection for apprentices, trainees and host employers, and will result in a more level playing field between Group Training Organisations and Principal Employer Organisations.

The amendments also remove the restrictions on the operations of GTOs to a particular industry, industry sector or geographical area.

These restrictions were introduced at a time when the capacity of the market to viably sustain multiple organisations operating competitively was limited.

That environment has changed substantially with the state experiencing a rapidly growing training market, record numbers of apprentices and trainees and skill shortages underpinned by solid economic and population growth.

The amendments to the *Vocational Education, Training and Employment Act 2000*, which deliver one of the Government's commitments under the Queensland Skills Plan, will assist in better matching the supply of skilled labour to industry's needs and the economy's demands.

I commend the Bill to the House.

Debate, on motion of Mr Copeland, adjourned.

TRANSPORT LEGISLATION AMENDMENT BILL

First Reading

Hon. RJ MICKEL (Logan—ALP) (Minister for Transport, Trade, Employment and Industrial Relations) (11.34 am): I present a bill for an act to amend the Transport Infrastructure Act 1994 and the Transport Planning and Coordination Act 1994, and to amend other acts and repeal an act administered by the minister for transport. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Second Reading

Hon. RJ MICKEL (Logan—ALP) (Minister for Transport, Trade, Employment and Industrial Relations) (11.35 am): I move—

That the bill be now read a second time.

This bill proposes changes to six pieces of legislation administered by my department and two pieces of legislation jointly administered with the Hon. Warren Pitt, the Minister for Main Roads and Local Government, bringing together a number of reforms to improve the transport sector. The most significant amendments in this bill are: the adoption of the national heavy vehicle driver fatigue reforms; acquisition and disposal of land for future use in transport associated developments; and the necessity for vessels to have a fixed toilet on board to meet the discharge requirements for marine areas. The bill also makes some other minor changes to ensure delivery of the government's transport infrastructure program and to improve or clarify legislation. In view of the time, I seek leave to have the rest of my comments incorporated in *Hansard*.

Leave granted.

I will outline each of the amendments in turn.

Transport Operations (Road Use Management) Act 1995 amendments

The most significant amendments in the Bill are to the *Transport Operations (Road Use Management) Act 1995* and will adopt national heavy vehicle driver fatigue reforms. These reforms have been developed by the National Transport Commission and are designed to achieve national uniformity in the regulation of heavy vehicle driver fatigue.

It will remove anomalies in the prescription of work and rest requirements for heavy vehicle drivers.

It will strengthen the obligations of parties in the transport chain whose decisions may influence fatigue management.

And it is designed to increase compliance through more effective enforcement, offences, sanctions and record keeping requirements.

The legislation also helps to enshrine the importance of driver fatigue management. By encouraging all parties in the road freight industry to improve their management of driver fatigue, Queensland roads will be safer for all road users.

The increased amount of road freight due to Queensland's economic boom, has caused an increase in heavy vehicle crashes that are fatigue related.

Fatigue-induced impairment has been measured in two Australian studies and benchmarked against impairment from alcohol use. For most drivers, levels of impairment equivalent to the legal blood alcohol limit of 0.05 were found after 17 to 19 hours without sleep. Going 24 to 27 hours without sleep resulted in an impairment equivalent to a blood alcohol limit of 0.1.

Legislation which governs heavy vehicle driver fatigue prescribes hours of driving and rest. However, this form of regulation is not the most effective means of dealing with driver fatigue. A wider program of reforms has been identified as necessary to adequately tackle the problem of fatigue in the heavy vehicle road transport industry. The legislation does not adequately cater for diversity in the heavy vehicle industry and restricts industry innovation with the management of fatigue.

The lack of scientific basis in working hours legislation, poor levels of industry compliance, and ongoing concern that the existing legislation does not address the real causes of fatigue for drivers of heavy vehicles have all been triggers for change.

I will now provide further detail on some of the key elements of the proposed reforms.

The reforms adopt a risk management based approach—much of which has been adapted from existing workplace safety law. Reflecting expert advice, the reforms introduce new provisions for work and rest hours. These provisions will take into account not only the effect of extended periods of driving, but also the effect of other non-driving activities that are fatigue inducing—for example, loading and unloading a vehicle. This is because the research shows fatigue increases the longer a person is awake, regardless of what that person might be doing.

The reforms also take into account the impact that working at different times of the day has on the fatigue level of a driver. For example, since the period from about midnight to 6 am is recognised to be a period when a driver is more likely to be affected by fatigue, the reforms ensure drivers take set hours of night time rest in any 14 day period.

The reforms will enable heavy vehicle transport operators to operate under three possible schemes. The three-tier approach has been designed to allow progressively more flexibility in return for increased compliance requirements.

Under the first tier—which is the standard hours option—drivers will be permitted a maximum of 12 hours of work in any 24-hour period. There will, however, be mandated rest periods to ensure that those 12 hours are not continuous or 'in one block'. This will be the default option for operators who assess their risk profile would not require them to adopt a comprehensive risk management system.

Under the second tier—known as the Basic Fatigue Management option—drivers can operate for up to 14 hours of work in a 24-hour period. This option will only be available to those accredited operators who have a fatigue management system approved by Queensland Transport.

The final option—the Advanced Fatigue Management option—will allow 16 hours of work in a 24-hour period but only for accredited operators who can demonstrate an even higher level of fatigue management.

Operators who want more flexibility than the standard hours option will be required to demonstrate how their fatigue management system will meet a number of national safety standards. Accredited operators will have their systems independently audited every two years to ensure they maintain their focus on safety.

The development of these new accreditation schemes builds on the approach developed in Queensland. This approach allowed extended driving hours for operators and drivers who completed additional training and put systems in place to manage their fatigue risk.

The reforms also strengthen Queensland's existing chain of responsibility provisions. There will be an increased obligation placed on those parties who might influence a driver's compliance with the prescribed work and rest hours. This will continue Queensland's commitment to ensuring that the primary emphasis of enforcement is on those who make or influence scheduling decisions, rather than on drivers.

The reforms also make provision for a defence of 'reasonable steps'—available to drivers and others within the chain of responsibility. This defence allows parties being prosecuted for a breach of fatigue legislation to demonstrate they took all reasonable steps to prevent the breach occurring. Importantly, adherence to an industry code of practice has been included as a factor indicating a party took reasonable steps to prevent a breach. It is hoped the development of such codes will have positive effects in improving fatigue management and, consequently, road safety.

The reforms provide specific powers to authorised officers to deal with suspected on-road breaches of heavy vehicle fatigue requirements. These powers provide immediate on-road remedies where key fatigue management breaches are detected.

The Bill directly incorporates only some of the national reforms but it contains the necessary heads of power for the remaining reforms to be adopted through a new fatigue management regulation.

There has been extensive consultation with the transport and logistics industry as well as other stakeholders. Industry recommendations, where justified, have been incorporated into the amendments.

Given the importance of agriculture to Queensland, there has been regular consultation with representatives of the livestock transport industry. I would like to take this opportunity to acknowledge the Livestock Transport Association of Queensland and AGFORCE for their input on this issue.

Queensland Transport will continue to work with these bodies to develop operational guidelines that will assist livestock carriers to develop their fatigue management systems and applications for advanced fatigue management.

These provisions are necessary to help safeguard a valuable resource, Queensland truckies, and the travelling public of this state. It is about protecting the safety of all road users.

Another amendment to the *Transport Operations (Road Use Management) Act 1995* deletes the words '*the chief executive's delegate*' from section 124 of the Act. Those words are not required as the chief executive of Queensland Transport has a general power to delegate powers and functions by virtue of section 37 of the *Transport Planning and Co-ordination Act 1994*. This amendment will remove any potential confusion these unnecessary words might cause.

Acquisition of land for transport associated development

The Bill also amends the *Transport Planning and Coordination Act 1994* to allow the State to dispose of land for future use in transport associated development. Strict limitations will ensure the proposed amendments do not extend Queensland Transport's resumption powers.

The Queensland Government is committed to the South East Queensland Regional Plan which guides growth and development in the region. The Regional Plan identifies the need for transit oriented development strategies for South East Queensland, which are described as mixed-use residential and employment areas, designed to maximise the efficient use of land through high levels of access to public transport.

In addition, the South East Queensland Infrastructure Plan and Program recognises the use of infrastructure programs to lead development can substantially influence the preferred settlement pattern and urban form. This includes greenfield areas, urban infill and redevelopment sites, transit oriented development and regional activity centres.

Part 2A of the *Transport Planning and Coordination Act 1994*, inserted in 2004, reflects government commitment to the integration of land use and transport, consistent with the objectives of the regional plan. A significant investment of $35 billion in road, rail and public transport initiatives has been identified over the next 20 years across the South East Queensland region.

The proposed amendments support the development of such public transport infrastructure. The intent of the amendments is to remove legislative provisions that might impede effective and well integrated land use and limit the capacity for supportive development around public transport infrastructure such as busway, rail and light rail stations.

At the moment, where land that has been acquired for transport or incidental purposes becomes surplus within seven years of acquisition, the land must either be offered back to the original owner or retained for transport or incidental purposes for the balance of that seven year period. In either case, the outcome is an extended period where resumed land is left undeveloped, preventing effective integration of the land parcel into cohesive, well integrated transit oriented precincts. Leaving land dormant for extended periods could negate much of the intended economic and social benefit of the transport infrastructure and adversely affect the services available to the surrounding community.

The Bill amends sections 25 and 27 of the *Transport Planning and Coordination Act 1994* to allow resumed land, initially acquired for transport and incidental purposes, but which has become surplus to requirements, to be sold or leased to third parties for transport associated development.

These amendments will provide flexibility in the development of transport infrastructure and related development allowing surplus land parcels to be amalgamated, giving an opportunity to revitalise the area surrounding transit nodes once surplus land has been identified.

Here are some other details of key elements of the amendments to the *Transport Planning and Coordination Act 1994*.

Firstly, land identified for use in a 'transport associated development' must be initially required for transport or incidental purposes. The definition of 'transport associated development' refers to developments which are focused on the integration of land use with transport infrastructure, and services which support public transport use. This includes facilities such as commercial, community, educational, government, high or medium density residential, medical, retail or recreational facilities, places of worship or open recreational spaces.

Secondly, land identified for use in a 'transport associated development' must have a clear link to a 'prescribed transit node'. This clear link requires a transport associated development to facilitate the integration of a prescribed transit node with the community within which it is to operate.

Thirdly, to ensure transparency and accountability, the determination of the location of a 'prescribed transit node' must be made by a regulation. A busway station, light rail station, railway station or another transport facility may be declared as a 'prescribed transit node'. In declaring a 'prescribed transit node' regard must be given to planning documents appropriate to the region or local area.

Finally, the definition of a 'transport associated development' is clearly linked to the purposes of section 2A of the Act, in particular to the purpose of integrating land use with public passenger transport. It seeks to do this by—

- ensuring that as far as practicable—
    - development does not have a significant adverse impact on existing and future public passenger transport;
    - public passenger transport offers an attractive alternative to private transport;
    - the provision of public passenger transport infrastructure supports public passenger transport;
- promoting urban development that maximises the use of public passenger transport; and
- increasing opportunities for people to access public passenger transport.

These changes introduce into the *Transport Planning and Coordination Act 1994* some of the powers and procedures already available under the *State Development and Public Works Organisation Act 1971*. However, the amendments in this Bill are targeted towards urban developments surrounding key transit nodes where a mix of commercial, residential and retail developments is desirable, rather than to the major redevelopment of locations of state significance.

This Bill also addresses the *Transport Infrastructure Act 1994* where it relates to retail or commercial services that are typically found in station concourses. The amended definitions will allow commercial and retail activities which commonly are associated with transport stations, including newsagents, chemists, dry cleaners, and repair services, to be considered a part of station infrastructure. Additionally, services such as automatic teller machines, cycle facilities, locker rooms and showers, when at a station, will also be considered as transport infrastructure.

South East Queensland infrastructure development is rapid, with many new developments proposed over the next 12 months. The outcome of a number of high priority infrastructure projects including the Eastern Busway, Northern Busway and the King George Square precinct will be enhanced by the passage of this Bill.

Ensuring developments are well planned and integrated is essential and reliant on transparency and certainty in land tenure arrangements. This legislation will provide flexibility for transport infrastructure to be developed in a well integrated fashion consistent with the regional and infrastructure plans.

Maritime provisions

In particular I am pleased to see this Bill continues the strong work of this government in protecting our marine environment.

Specifically, this Bill will amend the *Transport Operations (Marine Pollution) Act 1995* to clarify how the owners of specified ships manage sewage to prevent its deliberate or negligent discharge. Ship owners must ensure they have the equipment to keep sewage on board to prevent any chance of a discharge into waters where it could have severe consequences, such as in oyster leases. Our marine environment is varied. We have some unique species and every effort should be made to keep our waters clean.

This Bill also makes a number of miscellaneous amendments to the *Transport Operations (Marine Safety) Act 1994* and the *Maritime Safety Queensland Act 2002*. This includes the addition of a number of civil penalties to be imposed against persons successfully prosecuted for breaches of safety legislation. This Government takes boating safety seriously and courts will now be able to order a range of penalties, whereby a person convicted of a safety offence can be ordered to conduct an advertising or education campaign about maritime safety, to make an apology to persons affected by the breach, or to operate or repair their ship in order to prevent any further breaches of maritime safety.

Category C Offences

This Bill contains further improvements to the screening process for public transport drivers. In addition to a broad number of offences under the Criminal Code, Drugs Misuse Act and Weapons Act, this Bill introduces two new driver disqualifying offences that fall under the Summary of Offences Act, namely wilful exposure and aggravated wilful exposure.

People convicted of wilful exposure or aggravated wilful exposure could be a risk to the more vulnerable in the community if they were driving public passenger vehicles such as taxis and school buses.

These disqualifying offences will apply to all public passenger vehicle drivers including taxi and limousine drivers, as well as urban, school, tourist and other bus drivers.

As with all category C disqualifying offences, a conviction will not automatically preclude an offender from driving a public transport vehicle. Instead, it will allow Queensland Transport officers to assess the circumstances and frequency of the offences before making a decision to refuse, suspend or cancel driver authorisation.

Any person who has their driver authorisation refused, suspended or cancelled may apply for a review of the decision. If unhappy with the reviewed decision, they may then appeal to the Magistrates Court. These review and appeal mechanisms provide the offender with a framework of natural justice.

The inclusion of these two new offences as disqualifying offences is part of this Government's ongoing program to improve the safety and security of passenger transport users. The amendment will also support a more efficient and robust process for screening the suitability of people for driver authorisation and will provide magistrates considering appeals about Queensland Transport decisions with a stronger indication of the serious nature of the process for public transport purposes.

***Transport Infrastructure Act 1994* amendments**

The Bill also makes amendments to the *Transport Infrastructure Act 1994* for a process to decide the access to be given to adjoining property owners across a proposed railway; to allow the chief executive of Queensland Transport to grant permission to a local government for a road to be on non-rail corridor land and to facilitate the development of the Airport Link Project.

The amendment to the *Transport Infrastructure Act 1994* which relates to the Airport Link Project will support the successful development by the state of the Airport Link Project, a Public Private Partnership Project. The amendment will allow a declaration to be made, prior to the construction of a franchised road, that a toll may be payable on completion of construction of the road.

Repeal of the *National Rail Corporation (Agreement) Act 1991*

The Bill also repeals the *National Rail Corporation (Agreement) Act 1991* as no further action can be taken under the Act. This is as a result of the Queensland Government deciding not to become a shareholder in the National Rail Corporation Limited. The corporation was subsequently sold to Pacific National.

Mr Speaker, this Bill brings together a number of reforms to improve the transport sector. I wish to thank Queensland Transport for the work done to date.

I commend this Bill to the House.

Debate, on motion of Mr Nicholls, adjourned.

GAS SUPPLY AMENDMENT BILL

First Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (11.36 am): I present a bill for an act to amend the Gas Supply Act 2003 in relation to the provision of community services. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Second Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (11.36 am): I move—

That the bill be now read a second time.

The Gas Supply Amendment Bill 2008 will insert a new section into the Gas Supply Act 2003 which places a legal obligation on natural gas retailers to provide the new gas pensioner rebate to eligible customers. The rebate will provide $55 a year to eligible senior and concession card holders who use reticulated natural gas in their homes. My department agreed with the retailers that payment of this rebate would be facilitated by the retailers. That agreement has not been fulfilled in a timely way by the retailers and now I am bringing this bill before the House to ensure that retailers do the right thing.

The legislation will prohibit gas retailers from providing customer retail services unless they enter an agreement with the state, with a term of at least five years, for the provision of agreed community services or, in the absence of such an agreement, provide community services as decided by the minister. If it becomes necessary for me as minister to make a decision on community services to be provided, the bill requires that I consider the reasonable administration costs and other risks of the retailer in providing the service.

The effect of the new provision, as applied to the gas pensioner rebate announced by the government late last year, will be to ensure that all reticulated natural gas bills issued after 31 March 2008 will include or be accompanied by a request for customers to register their eligibility for the Queensland government gas rebate. The enforceable agreements between the retailers and the state or any decision made by me in the absence of such an agreement will also require that payment of the rebate to eligible customers must occur in the first billing cycle after receipt of their registration and must be backdated to 1 July 2007.

Delivery of the gas pensioner rebate under agreements between the retailers and the state reflects the current practice in delivery of the Queensland electricity rebate to the same eligible groups—pensioners, Seniors Card holders and certain other benefit recipients. The retailers deliver the rebate through electricity bills and are recompensed by the Department of Communities.

The gas pensioner rebate was introduced in recognition of increases in reticulated natural gas prices following the deregulation of natural gas prices on 1 July 2007. Deregulation saw retailers adjusting their prices to reflect more closely the costs they faced in supplying gas including, importantly, a larger element of fixed costs than had been charged previously. While this increase was a necessary step towards more cost-reflective pricing, it led to a significant bill increase in the short term for some customers, particularly those who use only a small volume of gas. This also includes pensioners. The new rebate was introduced to help those most in need to offset some of this increase. The legislation contained in this bill will enable the government to require the payment of the rebate through the natural gas retailers. I commend the bill to the House.

Debate, on motion of Mr Seeney, adjourned.

Mr SPEAKER: I acknowledge in the gallery members of the Amputees and Family Support Group who come from the electorate of Springwood, which is represented in this House by Ms Barbara Stone.

COMMISSION FOR CHILDREN AND YOUNG PEOPLE AND CHILD GUARDIAN AND ANOTHER ACT AMENDMENT BILL

First Reading

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (11.40 am): I present a bill for an act to amend the Commission for Children and Young People and Child Guardian Act 2000 and the Police Powers and Responsibilities Act 2000, and for related purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Second Reading

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (11.40 am): I move—

That the bill be now read a second time.

As members would be aware, on 15 November 2007, the Minister for Police and Corrective Services introduced the Child Protection (Offender Prohibition Order) Bill 2007 to complement the existing Child Protection (Offender Reporting) Act which enables the Queensland Police Service to monitor convicted sex offenders.

The Child Protection (Offender Prohibition Order) Bill enables police to seek a prohibition order by the court against a person who has been convicted of a child related sex offence and who engages in concerning conduct such as loitering at places that children frequent or following or seeking contact with children. Today I am pleased to introduce a complementary bill, the Commission for Children and Young People and Child Guardian and Other Act Amendment Bill 2008. This bill complements the Child Protection (Offender Prohibition Order) Bill by strengthening the related exclusionary framework within the blue card system. The blue card system is an important tool for creating safeguards for children and young people in essential and developmentally focused service environments, such as child care and sport. The bill expands the existing exclusionary framework of the blue card system to explicitly include prohibition orders made under the Child Protection (Offender Prohibition Order) Bill. Additionally, the provisions will require an individual to declare that they are not a disqualified person as part of the blue card application process.

Disqualified persons are those who have a conviction for a child related sex offence; are subject to a child protection offender prohibition order or disqualification order made by a court; or have reporting obligations under the Child Protection (Offender Reporting) Act. It will now be an offence, punishable by five years imprisonment, for a disqualified person to sign an application for a blue card. This means that such persons will be prohibited up-front from applying to work or volunteer in or run an organisation that provides regulated services to children. In very limited and defined circumstances a disqualified person will be able to seek to have their disqualification lifted by the commissioner. This will only be permitted where they have not been sentenced to imprisonment in relation to one of the disqualifying offences; do not have reporting obligations under the Child Protection (Offender Reporting) Act; and are not subject to a child protection offender prohibition order or a disqualification order made by a court.

This allows the commissioner to exercise discretion in truly exceptional circumstances where it would not harm the best interests of children for a blue card to be issued—for example, an individual who many years ago, at the age of 17, was convicted of an unlawful carnal knowledge offence in relation to a 15-year-old with whom they now have a long-term de facto relationship or have married and where there is no evidence of further concerning offending.

Given that convicted sex offenders are now excluded from the blue card system up-front, it is considered sufficient to limit a review of any exceptional circumstances to the decision of the commissioner. Accordingly, no further merit review processes are provided for in the bill. Judicial review processes remain available in relation to the commissioner's decision. The bill also provides for the commissioner to take appropriate action to cancel or suspend a blue card where a holder becomes a disqualified person.

The bill further strengthens the blue card system by introducing additional powers for courts to issue disqualification orders in circumstances where a person is convicted of an offence—even a non-sexual offence—committed against or in relation to a child, where the nature of the offending behaviour clearly indicates that it would not be in the best interests of children for a blue card to be issued.

The bill provides for the commissioner and Police Service to share information where necessary to enable the effective administration of the blue card system and the prohibition order system. Additionally, the bill provides police officers with the power to seize a blue card where an individual is no longer entitled to hold it.

Creating service environments in which our children can safely participate and enjoy positive experiences requires us all to identify and manage the risks in what is often a dynamic and changing societal context. Feedback from service providers, parents and young people indicates strong support for the safeguards generated by their compliance with the blue card system.

This bill will further strengthen the capacity of the blue card system to contribute to the creation of safe service environments for children and young people. This bill demonstrates my government's ongoing commitment to improving safeguards for children and putting effective systems in place to protect them from harm. I commend the bill to the House.

Debate, on motion of Mrs Stuckey, adjourned.

WATER FLUORIDATION BILL

Second Reading

Resumed from p. 837, on motion of Mr Robertson—

That the bill be now read a second time.

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (11.46 am): It gives me great pleasure to rise to speak in this debate. As I have said in both the public arena and in this House on a number of occasions, I support the fluoridation of Queensland's water supplies. I believe it to be one of the most significant preventative health measures that we can deliver to both current and future generations.

Tooth decay has reached epidemic proportions in Queensland, affecting 50 per cent of children by the age of six and about 95 per cent of Queenslanders over the age of 25. Untreated oral disease disrupts eating, sleeping, work and socialisation. Importantly, it can be a precursor to other medical conditions or exacerbate existing chronic health. The financial burden of tooth decay is so significant that oral disease now causes a greater economic impact than mental disorders and diabetes. All of this is largely preventable. Healthy eating, good oral hygiene and water fluoridation are the proven formula that prevents tooth decay.

Currently, only five per cent of Queenslanders can access fluoridated water and Brisbane is the only Australian capital city that does not provide water fluoridation. In other states and territories between 75 per cent and 100 per cent of the population have had access to fluoridated water for up to 44 years and four Australian states are constructing more fluoride plants. These states are recording an overall decline in tooth decay over two generations and the benefits are not just long term. Exposure to fluoride helps repair minor dental tissue damage immediately and promotes enamel resistance against tooth decay. Queenslanders deserve to enjoy the same oral health benefits of fluoride that the rest of the country has had for two generations.

This House is no stranger to the issue of water fluoridation. The Fluoridation of Public Water Supplies Act 1963 and the regulations made under the act currently regulate water fluoridation in Queensland. The act gives the power to local government to fluoridate water supplies.

As has been canvassed a number of times in this debate, in late 2004 the member for Surfers Paradise, Mr John-Paul Langbroek, introduced a private member's bill mandating fluoride. This bill sought mandatory fluoridation of all Queensland water supplies by local governments or other entities that control public water supplies. At the time both the government and the National Party opposed the bill. It was not opposed on this side of the House because of a concern about fluoride; it was opposed on the grounds that it would have placed an onerous and unreasonable burden on local government. Although the government at the time opposed the private member's bill and it was defeated, the government recognised the potential benefits of fluoridation and took action to support local governments in introducing fluoridation by establishing the Queensland Fluoridation Assistance Program.

This program was available to support local governments to fluoridate water supply systems in their communities. The Queensland Fluoridation Assistance Program, a capital funding program, has now been in place in Queensland for two years. During this time, Queensland Health has provided support and information to local councils and communities to support water fluoridation considerations. Not one council has made a decision to fluoridate water since Townsville did in 1964. It was clear that local governments were struggling with this decision. A lack of financial capacity was not the hurdle that was holding back the implementation of this issue. The government made funds available and no local government accessed those funds.

With the prevalence of tooth decay increasing, one of my first decisions as the new Premier of Queensland late last year was to tackle this important public health issue. I said when I became Premier that I wanted us to be better prepared for the challenges of the future. I wanted us to see around the corner and see some of the problems that were on the horizon. We can sit here today and see with the escalating rates of tooth decay and the declining oral health in Queensland the cost in human terms, the cost in health terms and the cost in financial terms.

I acted on the views of Queenslanders regarding fluoridation. These views have been repeatedly tested via surveys conducted by the Office of Economic and Statistical Research, the Central Queensland University, the Local Government Association of Queensland and the Queensland Oral Health Alliance. It does not matter who has done these surveys but they consistently demonstrate that between 60 per cent and 70 per cent of Queenslanders support fluoridation.

Queenslanders recognise that water fluoridation is a proven, safe and effective way to improve oral health. Water fluoridation is the way to ensure that all Queenslanders can reap the benefits, regardless of their age, regardless of their income and regardless of their education levels. Accordingly, as was the case for all other states and territories, the Queensland government will not be holding a costly and constitutionally unnecessary referendum on fluoridation. Adding fluoride to Queensland water supplies is about public health and it requires someone prepared to make the tough decisions.

It is just like the National Party did in 1970 when it introduced the compulsory wearing of seatbelts without a referendum. It was an important public safety measure. We will not hold a referendum to fluoridate Queensland's water supplies. It is hard for those people who were not around in the 1970s or were very young children to understand that at the time when the then government mandated the wearing of seatbelts it was a very controversial issue. There were many people who felt it was an unwarranted intrusion into their—

Mr Johnson: Just like the speed cameras, Premier.

Ms BLIGH: I take the interjection from the member for Gregory. Many people felt it was an unwarranted intervention by the government into their private decisions in their own private vehicles. But the National Party of the day did the right thing. It did not delay the introduction of seatbelts with a referendum. It acted in the broad interest of the public.

The Liberal Party certainly endorsed the government's current position on this when they made no provision for a referendum in its 2004 bill. But where is the coalition on this issue now? Where is the unified voice opposite on fluoridating Queensland's water supplies and improving Queensland's oral health? How is it that those opposite cannot agree on what the current shadow Treasurer described as a no-brainer?

It seems from what we have heard in the debate that we have disagreement within the Liberal Party. Yesterday the member for Moggill said fluoride must be adopted universally just like the compulsory wearing of seatbelts was adopted. He said that there should be no choice. We cannot get more unequivocal than that and I agree with the member for Moggill.

The member for Surfers Paradise has been such a strong advocate for this issue—and I congratulate him on his advocacy. I was very intrigued to find that he wants the government to pay for filters for every Queenslander who wants to opt out of fluoride. He wants to put it in and wants taxpayers to fund putting it in and then wants taxpayers to fund a program of taking it out. I am frankly staggered that the member for Surfers Paradise would come in here with the wacky idea that we should use taxpayer funds to subsidise filters to take fluoride out of the water, having been a champion of putting it in.

Those people who have private concerns about fluoride will no doubt, in many cases, put water filters on their taps. That is not something the government can prohibit. It is their decision. But the prospect that the Queensland taxpayers should fund a program to take out what they are funding to put in defies belief. Of course, no-one would suggest that those who do not want to wear seatbelts should be allowed to opt out or that the government should subsidise some other form of safety in vehicles.

The member for Surfers Paradise said in 2005 that mandatory fluoridation was one of his top priorities as a legislator, as a parent and as a qualified dentist. Such fierce commitment to a public health policy, but now he wants to water it down with an opt-out clause funded by the taxpayer. Should the shadow health minister have so little backbone running the state's health system? Where is his leadership on this issue? Where is the shadow health minister's leadership on a policy that he claims now is one of his top priorities? If this is where he stands on his top priority we would not want to look at what he does with his 10th order issue.

More importantly, where is the member for Caloundra's leadership on this issue? Surely he has the capacity to influence his coalition partners. In 2005 he showed a glimmer of leadership when he said that government should make the hard decision to put fluoride in our water system. He said that being in government meant making difficult decisions in the public interest. On the floor of the chamber today is a bill that requires us to make a difficult decision in the public interest. It seems that that momentary glimmer of leadership from the member for Caloundra might be disappearing as I speak.

The question that no member of the Liberal Party whom I have heard speak in the debate answer is: are they going to vote for the National Party amendments on this bill requiring a referendum? Are they going to go against everything that they have already said in this chamber and everything that was in the private member's bill put forward by a Liberal member and supported by the Liberal Party in 2005? Are they going to roll over for the National Party?

The National Party's position on this continues to unfold day by day. The member for Southern Downs either supports fluoridation or he does not. Leadership is not a bob each way thing. It is taking action and making tough decisions in the interests of Queensland. Talking about it will not stop our children from suffering from unnecessary tooth decay.

The member for Southern Downs has been on radio saying that he thinks what Queensland needs is a conversation about fluoride. A conversation will not fix the oral health epidemic that we are seeing in Queensland. This is not a conversation we can have with future generations. We cannot consult the children of tomorrow. They are relying on us today to make decisions that are in their best interests and that is exactly what I am going to do and what every member of the Labor caucus will do.

I am standing here today prepared to make these tough decisions, to get ahead of problems and to legislate for a better future for Queensland. Unfortunately, the coalition is not. This is another demonstration of why the rabble opposite—

Mr Nicholls interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): I remind the member for Clayfield that he is not in his seat.

Ms BLIGH: Those opposite are not ready for government and they are definitely not ready for opposition. The National Party is having a bob each way on where it sits on what is a very straightforward public health policy. The Liberal Party is clearly unable to turn one of its strongest policy objectives into a coalition policy. It has been conveniently quiet so far in this debate as to whether or not it will vote to delay fluoridation with the National Party's referendum amendment. In the last sitting week opposition members—

Opposition members interjected.

Mr DEPUTY SPEAKER: I remind members that the Premier has the floor.

Ms BLIGH: I am happy to take the interjection from the member for Clayfield. He is absolutely right. The former mayor of Brisbane, Jim Soorley, did not introduce fluoride into the water supplies of Brisbane and neither did Campbell Newman or the member for Clayfield when he was sitting on the Brisbane City Council.

Opposition members interjected.

Ms BLIGH: What Jim Soorley did not have was a budget to do it. What Campbell Newman had was a budget to do it, and they still squibbed it!

Opposition members interjected.

Ms BLIGH: But here they are on their own strong policy arguing with me. They are taking the opportunity to bait me in the debate on a policy that they moved a private member's bill on. Do they support it or don't they?

Mr Nicholls interjected.

Ms BLIGH: If the member had been in the chamber earlier, he would have heard the answer on that.

Mr Nicholls interjected.

Mr DEPUTY SPEAKER: Member for Clayfield!

Ms BLIGH: I am happy to repeat for the member for Clayfield's benefit that the government voted against the fluoride bill moved by the member for Surfers Paradise because we believed that to impose it on local government was an unreasonable imposition, and I stand by that. We gave the money to do it, and over the last two years local governments like the one that he was a member of have done nothing—nothing. We can argue about the history, but today is the opportunity for us to do the right thing, and the question will be who will have the guts to do it.

Last sitting week we saw the Liberal Party roll over to the National Party on tree clearing. It could not convince it and it did not have the guts to vote by itself. The former member for Robina, the Hon. Bob Quinn, would never, ever have let his Liberal Party vote for tree clearing. He would never have let any of his members who will be candidates at the next election vote for tree clearing. Bob Quinn would never have allowed the Liberal Party to bow to the National Party on fluoride—something that matters so much to them as a significant policy.

Opposition members interjected.

Ms BLIGH: They are very touchy on the issue of things they do not agree about, aren't they? Yesterday we saw the member for Moggill, the member for Surfers Paradise and the member for Clayfield all speak in the debate and there was not one word from any of them about whether or not they will support or oppose the amendments that have been circulated by the member for Southern Downs. Where do they stand on this issue?

Will they be voting to put this off, or will they be standing up for what they believe in? I suggest that, just like they did on tree clearing last month, they will cower to the National Party. If you cannot form a clear, unified position on something as straightforward as a public health issue, how could you possibly make the decisions that need to be made to run a state like Queensland? This is one of the most significant preventative—

Miss Simpson interjected.

Mr DEPUTY SPEAKER: Member for Maroochydore.

Miss Simpson: Can't tell it straight with regard to the—

Mr DEPUTY SPEAKER: Member for Maroochydore!

Ms BLIGH: So touchy, Mr Deputy Speaker. This is one of the most significant preventative health measures that we will introduce in this state. It is a measure that deserves bipartisan support. As I have outlined earlier in the material I have put to the House today and as was outlined very comprehensively by the member for Surfers Paradise in his contribution, the arguments in favour of fluoride are overwhelming. Because I do understand that there are people in our community who have very strong views that are not the same as mine, I took the opportunity to meet with members of the antifluoridation groups both in Brisbane and throughout Queensland and have considered the correspondence that they have put to me.

In every case their arguments are unpersuasive. In every case the material that they have provided to sustain their arguments does not bear scrutiny. They have selectively quoted from scientific surveys that do not relate to public fluoridation of water or do not relate to the levels that would be put in in Queensland which we will be ensuring match the UN requirements in this regard. I have seriously applied myself to considering the alternatative arguments because I do know the passion with which they are held by those people who have put them to me, and I can assure them that I did go through much of the material that they provided to me. I have not found it persuasive.

What I have found compelling are the arguments that have been put and supported by significant scientific research and surveys by the Australian Medical Association, by the Australian Dental Association and by many dentists I have known personally. The time has come for us to have the guts to do the right thing on this issue. It has to be our decision in here. We all know what the results of a referendum would be. There is no point putting people through what will just be a costly exercise. When it comes to public health, we have to have the leadership it takes to make the decisions in the broad public interest. I call on all sides of politics to do that, and I look forward to them supporting the bill.

Mr HORAN (Toowoomba South—NPA) (12.05 pm): I have spoken in this parliament before about the fluoridation issue. Like the Premier and 26 members of the Labor Party sitting opposite, I voted against the private member's bill in 2004. This chamber has already been made aware during the course of this debate that the coalition will be supporting this bill but moving amendments. The way democracy works in this state, particularly with the government-opposition system we have in this parliament and most Westminster parliaments, is that very often things are debated and they are won or lost. Whether or not we agree with it, we have to abide by that decision. During that process, both government parties and opposition parties very often have some pretty robust discussion in their party rooms and can often have divergent and opposite views before coming to a decision on the principle that works in here—that is, if you get the numbers on the board—it is like footy—and you lose by one point you have lost and you cannot do anything about it. It is the same principle of democracy.

We have had a very robust discussion about this and we are supporting our shadow minister. Whilst I do not agree with all of the particular views, I will be loyal to that decision. However, I am pleased that we will be moving some amendments that address a couple of very important issues in this debate. While talking about party room discussions, I want to say that I hold in very high regard our shadow minister for health and also our shadow Treasurer who are both health professionals. Many times in the debates we have had in our party room they have displayed very great humanitarian values and a great genuineness in their attitudes towards people and serving them through their health profession.

I have spoken before in this parliament against fluoridation of water. One of the big issues in my mind is the issue of choice. It is an issue to do with personal health, and that is why it is such an emotive issue. It is all very well to talk about the difficult decisions that we have to make, but we are making a decision about an issue which a number of people in our community—as the Premier has already indicated, somewhere around about 35 per cent of the population—are vehemently opposed to, that is, fluoridation. These people genuinely believe in that point of view. I have been dismayed in this parliament to hear some of the comments made by members, particularly the cynical, sarcastic comments by the member for Stafford, who tabled a leaflet to the effect that fluoridation leads to communism. That was derogatory of good, decent Queenslanders, many of whom would live in his electorate, who do not believe in fluoridation. They are not dummies; they are not rednecks from the hills. They are actually people with degrees. They are people with common sense. They are people who think it through, and they disagree.

Many of these people have looked at the research and worked out whether that research is genuine or not, but they have a view of their personal health and the issues that are involved. Their point of principle is what they call mass medication—and that is what this is about—where water is treated with chlorine, and now we are putting in a medication to treat the personal health of people. These people have their own particular beliefs about fluoride and we should respect those beliefs—not deride them—and that is one of the reasons why we will be moving the amendment about the referendum.

Even in the debate in 2004 the Labor health minister of the day spoke about the need to consult with people. This medication is not of any specific dosage. If you go to the doctor he says, 'Take two tablets a day of 50 milligrams,' or whatever it is. But this is a set amount of fluoride in the water. Some people drink very little water. A bloke who is a roofer or a tiler might drink 20 litres a day because he is

working on a tin roof or some other roof in the hot sun all day. Someone who is an athlete might drink an enormous amount of water if they are training for an 800-metre race or a marathon, or someone who just jogs around the block for five or 10 kilometres a day might drink an enormous amount of water. Fluoride is absorbed through the skin. So depending on the skin type, how much is being absorbed whilst people are taking showers? These are some of the issues that concern people. There are other issues of concern to do with thyroid function, fluorosis of teeth and bone brittleness in old age. I think there has been very little research, if any, done on what effect fluoride has on people in old age. If it is proved to be true that there is an effect—and there has been some research provided to us by opponents of fluoride—that is certainly something that we would regret in the future.

Is the government able to say that there is a massive difference in the teeth of 12-year-old children from areas whose water has been fluoridated and those of children who are from areas whose water is not fluoridated—because members should bear in mind that by the time children are aged 12 their permanent teeth have had in the order of five to seven years of exposure to fluoride? We are not seeing that. Those 12-year-olds from areas that are not fluoridated and who have their permanent teeth have less tooth decay than children in Tasmania and the ACT, which are areas that are nearly 100 per cent fluoridated. Those 12-year-olds are only marginally behind those in Victoria and Western Australia. New South Wales does not produce any figures—and New South Wales is almost fully fluoridated—possibly out of embarrassment as to the extent of tooth decay in children in that state. We even have Tasmania described by the Australian Institute of Health and Welfare as a crisis case in terms of dental health.

The other issue that worries people who are opponents of fluoride is the effect it has on babies. In most places the rule is that babies under the age of six months or nine months should not be given fluoridated water. I understand that in the United States the rule is babies under the age of 12 months should not be given fluoridated water. Is a young mother in difficult circumstances who has a baby screaming in the middle of the night going to remember not to use the tap-water that is fluoridated in the formula? Or is she going to be able to afford to buy bottled water to make up the formula? Other concerns relate to Indigenous people, who can have some particular difficulties with kidney function and so forth.

In most of the European countries fluoride is not allowed. I think five or six countries in the world are more than 50 per cent fluoridated and that is basically—

Mrs Reilly: It is 60.

Mr HORAN: No, there is Australia, New Zealand, the USA, Japan, Singapore and one other that escapes my memory. There are these concerns, and the point I am trying to make is that we should have respect for the people who make a great effort to put forward their case as to why they believe fluoridation should not be forced upon them. These people also have concerns about the particular substance that is used. I understand it is not calcium fluoride, which is a safer product, but hexafluorosilicic acid, which is an S7 listed poison that is a by-product of industrial processes and the smelting of aluminium or fertiliser that has to be disposed of in landfills. That is the basis of the substance that will be used for the fluoridation process.

I put forward those points, because I think it is very important for us to consider them and to respect the deep thought and strong views of their own personal health and what they ingest into their bodies that people sincerely believe in. Thousands of people strongly believe in organic food. We should respect their particular views. People believe in healthy eating. That is the sort of principle that I am talking about. There are those people in our population who are extremely concerned about fluoride. They have looked into the issue in great detail and do not believe that they should be force medicated through fluoride being put into the water.

I mentioned the crisis in dental health in Tasmania, which is almost 100 per cent fluoridated. Also, the Warwick council inquired of Queensland Health whether there were any studies undertaken into fluoride. That council was considering whether it should fluoridate its water supply. A person from Queensland Health communicated to that council that there was no study to say that fluoride was safe.

If we looked at the graphs that track the state of tooth decay from 1960 to the early 1990s in all the countries of the world—fluoridated and unfluoridated—we would see a dramatic decline in tooth decay in all countries. That is because we have become more modern. People are better educated to use toothbrushes. Parents are now more inclined to ensure their children clean their teeth in the morning and at night. Throughout the world there are better and more dental services that have improved oral hygiene. All of those advances have brought about this huge decline in the level of tooth decay from the 1960s to the 1990s. When we look at the graph we see that that decline in tooth decay is the same average for unfluoridated and fluoridated countries.

I make that point, because that is why we have to consider what these people who are opponents of fluoridation have been saying to us. In Victoria, when the government there introduced fluoridation the constitution had to be changed so that there could not be cases alleging harm brought against the government. In November 2006 the *Lancet* medical journal suggested fluoridation is an emerging neurotoxin. Again, that highlights the concern of these people who are opponents of fluoride.

In January 2008 an article in the *Scientific American* titled 'Second Thoughts About Fluoride' stated that the main concern is the effect on thyroid function. So, again, I ask members to respect what these people who are opponents of fluoride are saying.

There was a little bit of derision thrown in this parliament by the Premier in her speech about the issue of a referendum on fluoride and the issue of assistance to those people who feel so strongly about their lifeline—their water supply—being medicated with a substance that they vehemently and genuinely do not believe in with regard to their personal health. As I said at the outset of my speech, the coalition thrashed this out very strongly within the party room. The coalition had some outstanding humanitarian advice provided to it by our shadow minister and the member for Moggill. I am not trying to boost them up too much, but I am quite impressed by their human principles. But those of us who want to stand up for people who have these genuine and serious concerns want to voice their concerns. We will be doing that—standing up for those people—by moving amendments to this bill to consider a referendum so that these people can have a say about their personal health, about the water that they put into the formula for their babies, about the water that they drink and shower in, and about their particular concerns. So we will be moving that amendment and we will debate it.

We will also be moving an amendment to provide some assistance to people with regard to water filters. I have talked to some people in my electorate who are very genuine, sincere, intelligent people. Based on their own beliefs and research, they will be using other sources of water. They will be going to tank water, bottled water or whatever. It is going to be an inconvenience to them and an added cost. Particularly for those who have difficulty in meeting those costs there should be a very strong debate in this parliament about trying to provide some assistance to people who would like to use the reticulated water that their house is hooked up to. They may be on a city water supply and not have tanks. They want to be able to use that water just as all other Queenslanders do.

I make those points. As I said at the outset, I am one of those, along with 26 Labor members and a number of other National Party members, who voted against the private member's bill in 2004. I will be supporting my shadow minister and the decision of our party room. I am certainly pleased that we are going to respect the very genuine concerns held by people who are opposed to fluoridation by moving amendments to this bill in this House.

Mr JOHNSON (Gregory—NPA) (12.21 pm): This is a very interesting debate. In September 2004 the honourable member for Surfers Paradise and the shadow minister for health introduced a private member's bill into this chamber on the very issue that we are debating today, the introduction of fluoride into Queensland drinking water. As a result, that bill was debated in this parliament in February and April 2005. At the outset, I say that sometimes we should all rack our brains and go back over things. We are pretty quick at jumping to conclusions, and I for one certainly was at that time. I see the Premier leading from the front on this issue again, and I applaud her for that. The Premier talked today about National Party and Liberal Party members. In our joint party room we have robust debate. I bet there are people on the government side of the House who have had robust debate as well.

This is not about what I think; it is what the majority of Queenslanders think. The one thing that has changed my mind is the polls conducted by the Local Government Association of Queensland. It has come up with figures of 73 per cent in favour of fluoridation. The figures were 70 per cent of Brisbane residents surveyed responded in the affirmative and 77 per cent for the rest of the state. I say to myself that we are the people put here by the majority of people to express their views in the parliament and to support legislation if it is good legislation that is in the best interests of our constituency or the people at large.

When I look at the opposition side I see that we have a shadow minister who is a dentist, a professional in the treatment of teeth and oral health. Another member on our side is a medical practitioner, Dr Bruce Flegg, the member for Moggill. I look around the chamber and I recognise that there are many people—men and women—in this place who are professionals in some other walk of life. I respect those people. I am not a professional person myself, but I certainly respect professional people. I believe that they have done the work and the study to put in place a strategy that they believe is the right way to proceed.

Today we must look at what the shadow minister said when introducing his private member's bill a few years ago. I heard what the Premier said here today. She pointed out that the National Party government of 1977 introduced seatbelts without a referendum. We can all see that the compulsory wearing of seatbelts was introduced to save lives on the roads. Some 20 years later I was the responsible minister who introduced speed cameras in this state without a referendum. Those honourable members who have not been knocked off by a speed camera should put up their hand. I put both hands and both feet up. I probably get pinched more than anyone else. Then again, I have to drive a lot of miles and I think I should be let off sometimes, although no-one here will condone speeding or not wearing seatbelts. However, this is about trying to create a safe environment and ensuring the health of the people of this state, and the most important people in this state are our children—that goes without saying—our youngsters, the many tens of thousands of them right across the state.

I call on the health minister and the education minister to show leadership today. I believe this now falls into their area of responsibility. There are perhaps going to be many kiddies who will think, 'We have fluoridated water now. We don't have to worry too much about cleaning our teeth.' When we are littlies our mums and dads teach us how to clean our teeth. We must make certain that once this legislation is passed—and no doubt it will be—another part of the program is educating our young people and saying to them, 'You must still clean your teeth. You must look after your teeth the way you did before.'

Mr Bombolas interjected.

Mrs Reilly: That's a fair enough point.

Mr JOHNSON: I take the comment from the honourable member for Chatsworth and also the member for Mudgeeraba. They have family, too, and they understand that. I have a lot of problems with my teeth and I cannot work out why that is. I thought we had fluoridation in a lot of that western water as we drink a lot of natural bore water. I did run into a lot of problems over a period and I do not have the profiles that some people have. I still cannot work it out. Maybe if we had fluoridation in the water all those years ago I would have a good set of teeth now. Hopefully the kids of the future are going to have a good set of teeth.

This is no reflection on Dr Langbroek, but there is nothing many of us hate more than going to the dentist. I still have a fear and I shudder every time I think about it. I am a big coward when it comes to the dentist. If we can save our kids that pain, anguish and fear of going to the dentist, so be it. Let us do it. Let us support this legislation and get on with the job.

I would like to touch on the issue of holding a referendum. The local government people were the leaders in another form of government in this state. They conducted a survey to find out people's views and they found that 60-odd per cent thought there should be a referendum. Let us have the referendum so that the government can substantiate its claims and get on with the job of implementing this program and making it work here in Queensland the same as it does in the rest of Australia.

Why did the government not look at that other piece of legislation when the shadow minister introduced it a couple of years ago? It sat on the table for weeks and weeks. Why did the government not show some sanity and some bipartisan support and say, 'Listen, this is a good idea. This is a good piece of legislation. Let us move a couple of amendments, support the shadow minister and pass it' instead of debating it here today? It should not matter whether legislation comes from the government side and we support it or whether it comes from our side and the government supports it; it should be supported if it is in the best interests of the people of this state. Common decency and understanding need to be brought into the debate when it comes to some of the issues that are raised.

I know on many occasions when the opposition has introduced a private member's bill or made some comment in relation to an issue that we have seen the government adopt the program a few months later and introduce legislation—for which I applaud it. But the old adage is that we have to give credit where credit is due and recognise the good deed at the time.

I congratulate, after doing some study on this issue, the member for Surfers Paradise for his initiative going back to 2005 to get that bill debated here in the House. The important factor is about looking after the oral health of our people here in this great state and to be part of a program that puts in place another platform in the health system that I hope will be a preventative measure for people in Queensland who have tooth decay and other problems. The most important factor is that we put this program in place and that local government will not be left holding the can—the $35 million cost.

It is important to recognise that local government has been subjected to the forced amalgamation situation—and we will see that come to a close next Saturday, 15 March—and it is also important to recognise that the new councils are going to be subjected to having to implement this program. I call on the government to make absolutely certain that those new councils are not going to be out of pocket as a result of this program, that the government monitors this and works very closely with the LGAQ to ensure that there is a genuine outcome with the implementation program and that we see no further stress applied to local governments so that they can work with the state government to achieve a genuine outcome. I support the legislation. I trust that it will be a program that will be advantageous and beneficial for many hundreds of thousands of Queenslanders for years to come.

Ms STONE (Springwood—ALP) (12.31 pm): The issue of water fluoridation led me to quite a number of research articles both for and against—research articles from all around the world, from the old to the new. In fact, I found some information going back to the early 1900s. That research identified both sides of the argument and it presented those arguments in almost the same manner we see it presented today. Research articles, studies, surveys and speeches for and against from a range of politicians, scientists and dentists from a range of countries I was able to access and read in order to get a little bit more information on this subject.

Listening to the people in the Springwood electorate was of course the most important information of all. To date I have had five phone calls objecting to water fluoridation, and I want to thank those people for contacting me. I want to acknowledge the campaign against fluoridated water by north

Queenslander Bill Kilvert. I met Bill when I first began working with Australia Post. Bill was an Australia Post-Telecom union delegate when he was in the workplace. We would catch up once a year at the annual conference. I know Bill is quite passionate about this subject and sent a lot of information for us to read. Just like he did at union conferences and ALP conferences, he continues to fight for what he believes in. And just like at those conferences, not all of us always agreed with Bill.

I have had 370 emails and more than 50 per cent of those were from overseas. But I particularly want to thank Donald Duck from Quack Street, Disneyland, for his views. Donald Duck is actually my favourite Disney character, so I was excited to receive an email from Donald.

Mrs Reilly: He never wore pants.

Ms STONE: I love Donald. I have Donald sitting in one of my spare rooms actually. Of the remaining emails, 25 per cent of people did not want to identify themselves by putting their names and addresses. That left approximately 100 emails with full details and five of those were from the Springwood electorate. So I thank those people. On the streets of the electorate I have never been stopped by so many people on any other issue. People were stopping me in the supermarket to talk about this issue. The majority of them—in fact all of them—said to me that they particularly wanted to thank the Premier on this decision and for her strong leadership. They honestly believe that this is the right way to go.

A number of people who spoke to me grew up interstate and they told me of their experiences of having fluoridated water. All were very positive and definitely supported this decision. When these conversations started happening on the street I decided to raise the question myself at functions and meetings. I have to say that it was always positive. People believe this is a good decision. Mums were the ones doing most of the talking, and what they particularly liked was the fact that it was an easy way for their children to have fluoride. For some it meant that they did not have the added task of remembering fluoride tablets on top of all of the other tasks parents have to do. But more than anything they were very happy that their children would not have to endure the pain and suffering of fillings or other dental procedures like they did as a kid. I was often asked for my own personal opinion. I have to say that, as a child growing up in a family that had fluoride tablets, having it in the water supply would have been so much easier. From the research I have looked at I have found nothing that would change my mind in supporting this bill, but I do thank those who provided me with information on the other side of the argument.

If we looked at people perhaps over the age of 60 around this country I am sure we would find quite a number of them with full sets of dentures. Most of them made it to their forties and then would have to make the hard decision of whether to have all of their teeth removed and dentures made. For some, even those with good oral hygiene, they would have quite a number of fillings and as they grow older this too has an effect and they would have had to have expensive root canal surgery in order for their dental health to be at its best. So when we look at places that have had fluoridated water for quite a number of years we find the problems that I just identified happening less and less.

A point raised in this argument was that other countries had rejected fluoride. When I had a look at this I found that a lot of the countries that were mentioned were unable to implement fluoride in their water supply because they were unable to accommodate it in their method of their current water delivery structure. So quite a number of them have not said no or banned it; they were just not able to implement it.

Mrs Reilly interjected.

Ms STONE: That is right. Some have gone and implemented it in other ways. Listening to other speakers in this chamber, like the member for Woodridge with her dental background and the member for Surfers Paradise—both are much more qualified than I on the subject—only reinforced what I am hearing in my own electorate. If we take a look at Queensland, we have fluoride in the Townsville water supply. The studies show the significant difference in the levels of tooth decay between Townsville children and those in other parts of our state.

Mr Wallace: We're better looking, too.

Ms STONE: But you can't play football like us down here. Go the Broncos! Water fluoridation is about prevention and protection. Tooth decay is a serious health issue and water fluoridation is about preventing ill health. For those people who do not support water fluoridation, there are options and they are bottled water, tank water or water filters using the reverse osmosis process to filter out the fluoride.

There is a wealth of research and scientific evidence to support fluoridation. We can also look to those in the world who have been using it long term. We only have to look at the statistics in our own state and compare them to those areas with fluoridated water. They all speak volumes. They are well documented both in the public domain and in previous speeches, so I will not go into the detail of those statistics.

Fluoridation is endorsed by the World Health Organisation, the American Medical Association, US Centres for Disease Control and Prevention and the British Medical Association. It is also supported by the Australian Dental Association, the National Health and Medical Research Council and the Public

Health Association of Australia. Fluoride is a naturally occurring compound found in water, plants, rocks, soil, air and foods, and I support the adjustment of fluoride in our water supply to ensure that all Queenslanders receive the public health benefits it will bring. I commend the bill to the House.

Ms JONES (Ashgrove—ALP) (12.38 pm): I am pleased to support the Water Fluoridation Bill. However, given the lengthy debate we have had on this bill, I will only make a short contribution. But I feel I do owe it to my constituents to place the reasons for my support on the public record. In my view, the decision to fluoridate Queensland's water supply represents one of the Premier's most significant public health initiatives and is a testament to her leadership. While it is well documented—and members on both sides of this House have said this during the debate—that there is broad and strong support for this decisive action which will bring Queensland into line with other states, there are some people who strongly oppose this move. But in my electorate I received only 10 emails and letters from my constituents expressing opposition to this measure.

The reality is that the Queensland government spends more on oral health than any other state or territory government. In the 2006-07 financial year our investment was more than $137 million, yet Queenslanders continue to have the worst oral health in the nation, as we have heard here today.

I want to reflect on one of my proudest moments in my time as a member of the Labor Party and working for the Beattie government, which I did for many years. It was our decision to keep dental health vans in our schools. The Howard government cut federal funding for this vital service and our state government was one of the only state governments that actually kicked in the shortfall—some $40 million. I actually grew up in a single-parent household with four kids. This free dental health service was the only dental care I had until I could afford to go to the dentist myself when I was well into my 20s.

Mr Finn: You're only 21 now.

Ms JONES: I am actually turning 29 next month. So regardless of the significant investment which I have just outlined, Queenslanders continue to have the worst oral health and—surprise, surprise—we are the only state government that does not have fluoride in the water supply. A recent Australian Institute of Health and Welfare national study found that our five- to 12-year-olds have more tooth decay than their peers in any other state and almost twice the number of fillings as Victorian children of the same age. The same study found that five- to 15-year-old children from areas where there was water fluoridation had less tooth decay than children from areas without fluoride added to the drinking water.

Research has demonstrated that fluoridation together with oral hygiene and good nutrition can reduce tooth decay by up to 40 per cent. I take the point made by the member for Gregory that it is a combination, but I agree with the Premier's comments that fluoridating the water supply is an absolutely essential plank in our health care. I also cannot ignore the extensive scientific evidence which shows that fluoridation is an effective means of improving oral health, thereby reducing the considerable personal financial burden of oral health disease.

Fluoridation is one of the most widely researched public health measures in the world and is endorsed by more than 150 scientific and medical bodies in Australia and overseas, including the World Health Organisation, the Australian Dental Association and the Australian Medical Association. There is no credible evidence that I have seen to link water fluoridation with adverse health effects. Townsville water has been fluoridated since 1964, which many members have alluded to in this House, and every other state and territory has been drinking fluoridated water for more than 30 years. There have been no scientifically or medically documented cases involving adverse health effects in these states as a result of fluoridated water.

Finally, only last year Australia's highly respected National Health and Medical Research Council released an extensive review about the safety and effectiveness of water fluoridation. This peak body responsible for supporting health and medical research found that water fluoridation is a safe and effective health measure. I support this bill and indeed any government measure that helps young Queenslanders, particularly those from poorer households, improve their dental health.

Mrs PRATT (Nanango—Ind) (12.43 pm): It has been really interesting today to listen to each of the members outline the response in each of their electorates to the Water Fluoridation Bill. It actually proves that we each represent a very diverse group of people with very diverse views. They are as diverse as the members in this House.

I have listened to the statements from those who support the fluoridation of our water supplies and I have found some of their comments a bit denigrating, with their snide put-downs and their labelling of members opposed to fluoridation as people who are opposed to scientific evidence, uneducated, crystal ball gazers and ouija board consultants. Those who support fluoridation have discounted the genuine concerns of people who are physically affected by fluoride and who believe very strongly that fluoride is a toxic chemical that they want no part of. But let us stick to the facts. I will outline some information that I have researched quite extensively. Let me list just a few of the eminent persons who

strongly oppose adding fluoride to our water supply—people whom we must assume those in favour of fluoridation would include as opposing scientific evidence, as uneducated, as crystal ball gazers and as ouija board consultants.

Dr Paul Connett PhD received a BA with honours in natural sciences from Cambridge University. He has a PhD in chemistry from Dartmouth College. He has been teaching in the chemistry department of St Lawrence University in New York. Dr Phyllis J Mullenix PhD is a pharmacologist and toxicologist who graduated from the Truman State University. Dr Albert Schatz PhD has done research and published extensively on fluoridation and dental caries. His PhD work was in soil microbiology and biochemistry.

AK Susheela PhD is a professor of histocytochemistry and head of the Fluorosis Research and Rural Development Foundation. He focuses on the prevention and control of fluorosis, which is a major public health problem in 16 states in India. Dr Richard Foulkes BA, MD received his Bachelor of Arts and MD from the University of British Columbia, Canada. In 1972 he was commissioned by the British Columbian government to review all aspects of the province's healthcare system and make recommendations that could lead to its rationalisation. A report titled *Health security for British Columbians* advocated the mandatory fluoridation of the drinking water. In 1990, however, his view of the positive advantages of fluoridation had changed.

William Hirzy PhD is the Senior Vice-President of the National Federation of Federal Employees, which is a union comprised of scientists, lawyers, engineers and other professionals at the headquarters of the US Environmental Protection Agency in Washington. Dr Albert Burgstahler PhD received his BS degree in chemistry from the University of Notre Dame, and his qualifications continue. David R Hill was a professor emeritus at the University of Calgary. I can tell the House that I am quite content to be among these people who oppose fluoridation.

James B Patrick PhD, in a statement at the Joint Congressional Committee on Health and Appropriations Against the Inclusion of Fluoridation, said that the vast majority of civilised nations with advanced standards of public health have now rejected fluoridation and in most cases prohibit it. Let us look at some of those countries and statements from their governmental officials. For Germany it is stated—

Generally, in Germany fluoridation of drinking water is forbidden. The relevant German law allows exceptions to the fluoridation ban on application. The argumentation of the Federal Ministry of Health against a general permission of fluoridation of drinking water is the problematic nature of compulsory medication.

For France—

Fluoride chemicals are not included in the list of 'chemicals for drinking water treatment'. This is due to ethical as well as medical considerations.

For Belgium—

This water treatment has never been of use in Belgium and will never be into the future. The main reason for that is the fundamental position of the drinking water sector that it is not its task to deliver medicinal treatment to people.

Members will note the continual reference to 'medical', 'medicinal' and 'mass medication'. For Luxembourg—

Fluoride has never been added to the public water supplies in Luxembourg. In our views, the drinking water isn't the suitable way for medicinal treatment and that people needing an addition of fluoride can decide by their own to use the most appropriate way, like the intake of fluoride tablets, to cover their needs.

For Finland—

We do not favor or recommend fluoridation of drinking water. There are better ways of providing the fluoride our teeth need.

Artificial fluoridation of drinking water supplies has been practiced in Finland only in one town, Kuopio, situated in eastern Finland and with a population of about 80,000 people ... Fluoridation started in 1959 and finished in 1992 as a result of the resistance of local population.

...

Drinking water fluoridation is not prohibited in Finland but no municipalities have turned out to be willing to practice it.

For Denmark—

We are pleased to inform you that according to the Danish Ministry of Environment and Energy, toxic fluorides—

and there is the word 'toxic'—

have never been added to the public water supplies. Consequently, no Danish city has ever been fluoridated.

For Norway—

In Norway we had a rather intense discussion on this subject some 20 years ago, and the conclusion was that drinking water should not be fluoridated.

For Sweden—

Drinking water fluoridation is not allowed in Sweden ... New scientific documentation or changes in dental health situation that could alter the conclusions of the Commission have not been shown.

For Netherlands—

From the end of the 1960s until the beginning of the 1970s drinking water in various places in the Netherlands was fluoridated to prevent caries. However, in its judgement of 22 June 1973 in case No. 10683 ... the Supreme Court ... ruled there was no legal basis for fluoridation. After that judgement, amendment to the Water Supply Act was prepared to provide a legal basis for fluoridation. During the process it became clear that there was not enough support from Parlement [sic] for this amendment and the proposal was withdrawn.

For Northern Ireland—

The water supply in Northern Ireland has never been artificially fluoridated except in 2 small localities where fluoride was added to the water for about 30 years up to last year. Fluoridation ceased at these locations for operational reasons. At this time, there are no plans to commence fluoridation of water supplies in Northern Ireland.

For Austria—

Toxic fluorides have never been added to the public water supplies in Austria.

For Czech Republic—

Since 1993, drinking water has not been treated with fluoride in public water supplies throughout the Czech Republic. Although fluoridation of drinking water has not actually been proscribed it is not under consideration because this form of supplementation is considered: Uneconomical ... unecological ... unethical ... toxicologically and physiologically debateable (fluoridation represents an untargeted form of supplementation which disregards actual individual intake and requirements and may lead to excessive health-threatening intake in certain population groups.

As we can see from those reports, this is not the whim of people who just oppose fluoridation. There has been quite extensive research done and fluoridation has been rejected in many instances. Let us now go to countries that have discontinued fluoridation. Fluoridation has been discontinued in Canada, the former East Germany, Cuba and Finland. Dental decay has not increased but has actually decreased. There have been numerous recent reports of dental crises in the US cities of Boston, Cincinnati and New York City which have been fluoridated for over 20 years. There appears to be a far greater inverse relationship between tooth decay and income level than with water fluoride levels.

The Centres for Disease Control and Prevention has acknowledged the findings of leading dental researchers that mechanisms of fluoride benefits are mainly topical, not systemic. Thus, fluoride does not have to be swallowed to protect teeth. Despite being prescribed by doctors for over 50 years, fluoride supplements designed for ingestion have never been approved as safe or effective by the US Food and Drug Administration.

People who are opposed to fluoride have been described as crystal ball gazers and ouija board consultants. Let us look at the Nobel prize winners opposed to fluoridation. We have Adolf Butenandt for chemistry, Arvid Carlsson for chemistry, Hans von Euler-Chelpin for chemistry, Walter Rudolf Hess for medicine, Corneille Jean-Francois Heymans for medicine, Sir Cyril Norman Hinshelwood for chemistry, Joshua Lederberg for medicine, William P Murphy for medicine, Giulio Natta for chemistry, Sir Robert Robinson for chemistry, Nikolai Semenov for chemistry, James B Sumner for chemistry, Hugo Theorell for medicine and Artturi Virtanen for chemistry. All of those people give me cause to pause before making the ingestion of fluoride compulsory.

In 2005 we saw every Labor member vote against the fluoridation of water. The only difference between then and today, 13 March 2008, is that it is the government that is proposing the legislation and not the opposition. It is not good enough to stand and speak against the bill and then vote in favour of it. The measure of a person is not only in standing up to be counted but also in being big enough to change their minds and cross the floor. There are extreme doubts about the benefits of fluoride. I quote—

Fluoridation's role in the decline of tooth decay is in serious doubt. The largest survey ever conducted in the US (over 39,000 children from 84 communities) by the National Institute of Dental Research showed little difference in tooth decay among children in fluoridated and non-fluoridated communities ... According to NIDR researchers, the study found an average difference of only 0.6 DMFS (Decayed Missing and Filled Surfaces) in the permanent teeth of children aged 5-17 residing in either fluoridated or unfluoridated areas.

In a review commissioned by the Ontario government, Dr David Locker concluded—

The magnitude of (fluoridation's) effect is not large in absolute terms, is often not statistically significant and may not be of clinical significance.

Are these crystal ball gazers? I am pretty sure they are not. Fluoridation is a bandaid and merely covers the real problems of bad eating habits and very poor personal dental hygiene practices. In many instances there is no dental hygiene at all. This bill will pass and invariably fluoride will go into all water supplies. I know for a fact that the people of Kingaroy will not be drinking this water. There may be half a dozen—at the most probably a dozen—who will. They will be people who have come to town who are not aware of the quality or taste of the water. I can guarantee that the vast majority have water tanks and they will be using water tanks or bottled water. We will probably have some of the healthiest toilets in the state of Queensland.

Hon. DM WELLS (Murrumba—ALP) (12.56 pm): First, I thank a number of my constituents who informed me of their opposition to fluoridation and referred me to articles on the subject. I read the material and was concerned at the claims made. My vote today means no disrespect to those sincere

citizens who wrote to me. However, my responsibility is to weigh up the evidence. On the one hand, I am aware of articles claiming that fluoridation causes cancer, birth defects, bone disease and lowered IQ. On the other hand, I am aware of studies by the Australian National Health and Medical Research Council, the British Society for Allergy and Clinical Immunology, the US Public Health Service and the New Zealand Public Health Commission, all of which reject claims relating to the harmfulness of fluoride.

The weight of scientific evidence and authority is clearly against the proposition that fluoridation will be a disaster and legislators have no serious option but to act accordingly. Of course, if nothing would be gained by fluoridating water we would not do it out of respect for the fears of its opponents. It is argued that there are other ways of preventing tooth decay and protecting our children's teeth, for example fluoride tablets or toothpaste and general dental health. Indeed, I know of one young person in my electorate whose father gave him fluoride tablets every night in his early childhood and now in his early adulthood he has perfect teeth and no fillings. Yet there are thousands of children in my electorate who have many fillings or, worse, many holes in their teeth. This is not always the fault of their parents.

I cannot perpetuate a situation in which a child of mine has perfect teeth while thousands of children of people I represent, including many who are already disadvantaged by their socioeconomic background, should have decayed teeth. I support the bill.

Sitting suspended from 12.58 pm to 2.30 pm.

Debate, on motion of Mr Schwarten, adjourned.

MOTION

Order of Business

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (2.30 pm), by leave, without notice: I move—

That government business order of the day No. 1 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.

VALUATION OF LAND AMENDMENT BILL

GAS SUPPLY AMENDMENT BILL

Declared Urgent; Allocation of Time Limit Order

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (2.30 pm), by leave, without motion: I move—

(1) That under the provisions of standing order 159, the Valuation of Land Amendment Bill be declared an urgent bill and the following time limits apply to enable the bill to be passed through its remaining stages at this day's sitting—

(a) Second reading by 4.30 pm;

(b) Consideration in detail to be completed by 4.55 pm;

(c) Third reading by 4.58 pm; and

(d) Long title agreed by 5.00 pm.

(2) That under the provisions of standing order 159, the Gas Supply Amendment Bill, having been declared an urgent bill, have the following time limits apply to enable the bill to be passed through its remaining stages at this day's sitting—

(a) Second reading by 6.30 pm;

(b) Consideration in detail to be completed by 6.55 pm;

(c) Third reading by 6.58 pm; and

(d) Long title agreed by 7.00 pm.

(3) If the stages have not been completed by the times specified, Mr Speaker shall put all remaining questions necessary to pass the relevant bill, including clauses and schedules, en bloc and any amendments to be moved by the minister in charge of the relevant bill, without further amendment or debate.

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (2.31 pm): I second the motion.

Mr HOPPER (Darling Downs—NPA) (2.32 pm): Once again, we see the government's total arrogance and its mistreatment of this House. It is simply unacceptable to guillotine this bill. The government is guillotining this bill today simply because of the incompetence of this minister. He cannot sit through the normal time allowed for the consideration of a bill in this House. A lot of people have done a lot of work on this bill. It is a very important piece of legislation. Now it has been guillotined. Those opposite should face the people of Queensland and tell them that they did not have a fair go with this legislation. I think it is disgusting and unacceptable and it is typical of the way this House is being run.

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (2.32 pm): For the information of members I point out that I would be delighted to go out and tell the people of Queensland that the gas bill will enable pensioners to get a rebate. Those who oppose the motion before the House oppose pensioners having a decent go at getting a rebate. We are well aware of the issues surrounding this matter. It has been debated out there. I dare say the pensioners who are waiting for the gas companies to do right in this regard will welcome the certainty that the bill will provide.

The shadow minister should know—but obviously he does not—that unless the land valuation bill is passed this afternoon valuations cannot be issued as they should be on the 31st. One of the things that I have picked up on in this debate publicly is that certainty is required. I am certainly aware that the property council of Queensland has a very strong view about this matter and it wants these matters validated.

The reality is that this is not a new debate in this parliament. There is nothing new in this legislation. If the shadow minister cannot organise his thoughts properly and respond to the legislation in a very clear and concise way then there is not much I can do about it. If he is so incompetent and not able to get his message out in a short time instead of raving and rambling like he normally does then I cannot do much about it. I am happy to go to the people of Queensland on this issue.

Division: Question put—That the motion be agreed to.

AYES, 53—Attwood, Barry, Bombolas, Boyle, Choi, Croft, Darling, English, Fenlon, Grace, Gray, Hayward, Hinchliffe, Hoolihan, Jarratt, Jones, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, Palaszczuk, Pearce, Pitt, Purcell, Reeves, Reilly, Roberts, Robertson, Schwarten, Scott, Shine, Smith, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Finn

NOES, 27—Copeland, Cripps, Cunningham, Dempsey, Elmes, Flegg, Foley, Hobbs, Hopper, Horan, Knuth, Langbroek, Lee Long, McArdle, Malone, Menkens, Messenger, Nicholls, Pratt, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Rickuss, Dickson

Resolved in the affirmative.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Before calling the member for Darling Downs, I acknowledge in the public gallery students and staff from Mount Maria College in the electorate of Everton, represented in this parliament by the Hon. Rod Welford.

VALUATION OF LAND AMENDMENT BILL

Second Reading

Resumed from 26 February (see p. 335), on motion of Mr Wallace—

That the bill be now read a second time.

Mr HOPPER (Darling Downs—NPA) (2.41 pm): We have seen absolutely everything in this House today. We saw this minister bring legislation into the House during the last sitting of parliament. It was the most disgusting exhibition I have ever seen from someone in such a high position. He did not know anything about his portfolio. What did we just see? We saw a guillotine motion passed to once again protect an incompetent minister. He has staff from his department here to advise him. What he has to do is go to the Leader of the House and say, 'Please just give me a couple of hours in front of these blokes and shut it down. Don't let me go through what I had to go through last time.' The minister is not capable of answering questions during consideration in detail. It is as simple as that. The public of Queensland are starting to realise this. Big business is very worried about the Department of Natural Resources and Water. It is very worried about the leadership of that department. We have the perfect example of that sitting right in front me in this House at the moment.

Given the time constraints, I will reduce my speaking time to 10 minutes so that as many members as possible can speak to this bill. In speaking to the Valuation of Land Amendment Bill, I want to thank the minister's staff for giving the briefing that the opposition received on both Monday and today. No doubt the Premier has sent a flag out to all of these departments saying, 'Try to raise some revenue. Get out there and get as much money in for Queensland as you possibly can,' and the opposition is very concerned about the impact that this bill may have on the state of Queensland.

The projected debt level of Queensland is going to be $55 billion, and the people of Queensland are starting to realise that—$55 billion worth of debt. When John Howard took over the leadership of the country the debt was only $92 billion. Yet the state of Queensland alone will have a $55 billion debt—that is, $55,000 million. That equates to about $10 million every day of the year in interest alone, and that is what this bill is about. This is about raising revenue for Queensland—$10 million in interest every day, 365 days a year. If we did not have that debt—if somehow we got to pay all of that debt back—365 schools or 365 hospitals could receive an injection of $10 million, just with the interest saving alone.

There is no plan whatsoever to pay back the capital that this state owes. As a result, the Premier has obviously said to her ministers, 'Get into your departments to try to raise some money.' We are seeing the repercussions of that through this bill. We are very keen to keep an eye on this legislation, because it has the potential to impact very heavily on anybody by the possible raising of taxes. I have liaised with real estate agents, valuers and developers and all have expressed very grave concerns about the potential impact of this bill.

This is the second piece of legislation in two weeks that has retrospectivity attached to it, and the minister is fast becoming known as the 'retrospective minister'. Effectively, the government thinks, 'We can bring in law and we can backdate it.' I can draw an analogy with speeding. It is a bit like the government suddenly deciding to bring in a law which says that people can only drive 50 kilometres an hour and then booking everyone who drove over that speed limit in the previous three years. That is what retrospectivity is all about, and we simply cannot support that.

This legislation will no doubt place extra pressure on the 30 mentioned shopping centres. This bill will no doubt raise rents. How will they recoup those charges? They will recoup those charges by raising the prices of the products they sell. That is how they will recoup those charges in the shops. That is the only way they possibly can. That is the only way they can make a profit. Who will suffer? Everyday people are going to suffer—the mums and dads, the pensioners, the young mothers, the people in the shopping centres. They are the ones whom this legislation will affect.

Why does the minister not explain to the people of Queensland that this is just another business tax, because that is what it is? It is going to be another business tax. It is a way of raising revenue. He might hide behind the clauses and whatever else is contained in the bill, but deep down underneath, yes, it is going to raise taxes. The opposition will have a few good questions for him later, if time permits. No doubt the minister has probably had a weekend of total briefing so that he could try to get across this issue. It is just another tax grab and just another revenue raiser. The public are the ones who are going to suffer once again through these higher prices for rents and charges because businesses will have to try to restore their profitability. How are they going to do that? When you take your wife shopping, Mr Deputy Speaker O'Brien, you will pay higher prices. That is exactly what will happen, because rents are going to go up under this legislation.

At the briefing it was explained to us that all of this started when the Westfield shopping centre took an appeal to the Land Court. What do we see here? We see an exact replica of the last bill. The government thinks, 'We're in trouble. We'll fix that. We'll legislate so it can't happen again.' The shopping centre actually won the case and now we see this legislation before us today.

This is exactly what happened last sitting week. We had to sit through the pathetic performance of this incompetent minister who agreed, then denied, then agreed, then denied, then agreed and then denied that this legislation was retrospective. The minister is so gun-shy that during last sitting week he rushed in the retrospective legislation because he was afraid he might lose the appeal—not because he had but because he might—and that is the confidence the government has in him. Now we have this latest piece of retrospective backside protection: two court cases, one against the government, and two new pieces of legislation for this government to cover its butt brought in on a Thursday so that this—

Mr DEPUTY SPEAKER (Mr O'Brien): Order! The member's language is unparliamentary.

Mr HOPPER: I withdraw that and say 'cover its bottom'. This legislation has been brought on for debate on a Thursday afternoon so that this incompetent minister does not have to go through the consideration in detail stage in front of the media. That is why this bill is before the House this afternoon. I told the shadow cabinet, 'You can bet your boots this legislation will come in after lunch on Thursday. It won't be debated Tuesday or Wednesday but close to the close of parliament.' The media are busy doing other things from question time this morning. As a result, the government thought, 'We can cover the minister. We can protect him and we won't put him out in the public to show how incapable he is of running such a huge department.'

The Property Council of Australia does not support this bill in its current form. When the opposition was briefed on Monday we asked for a briefing on the amendments that the minister has now put forward, and I thank him that we got that briefing today. Once again we are seeing legislation being introduced with very little time for us to do anything and now it has been guillotined—now debate has been shut down—so we cannot debate it properly, and that is what we are elected for. In order to make laws in this chamber, we are to debate the rights and wrongs of legislation that has been put in front of the House. The arrogance of this government will not let that happen. That simply disgusts me!

There used to be a method for calculating the real property value, which was the improved value minus the improvements equals the land component. The proposed formula in this legislation totally lacks transparency and assumes a relationship between increases in land prices for commercial properties and shopping centres for which there is no market evidence.

This legislation fails to take into consideration varying site conditions. This bill discriminates against large shopping centres and, in particular, a few large shopping centres that challenged the valuations that were imposed upon them by the department in 2003. That is what this legislation is about. Apart from, yet again, the unfair retrospectivity of this legislation, there is the very real threat that this legislation will stall the Queensland economy. I will get to that in a minute.

The minister and his Labor government are playing with fire by threatening a major sector of the Queensland economy, the property development sector. This is all about a broke, heavily in debt government that is panicking and scrambling for cash. This government is broke because it has spent like there is no tomorrow. It has run everything up on plastic. Now when it has hit the fan, the government is rushing around trying to milk everybody as much as it possibly can to pay for its failure. That is what this legislation is about. It is about raising revenue. It is about getting funds to pay the $10 million in interest that has to be paid every day the minister gets out of bed on the debt that this government has run up. The people of Queensland are going to start to realise that every day they wake up $10 million goes out to pay the interest on the debt of their government. Every child who is born in Queensland owes thousands of dollars because of the most incompetent government that we have ever seen in the history of Queensland.

This legislation will strip the property sector of the profit it makes in regional areas. I know the members opposite do not like to hear that word, but the minister needs to understand that people who develop projects put their funds and their reputations on the line. They expect, and rightly so, to make a profit from that. The benchmark profit on developments for property developers is about 15 per cent to 20 per cent. If this legislation is applied, in many instances the value of real estate will drop by 15 per cent to 20 per cent. What will that do? It will take the profit margin out of developments in the future. Property developers will go to New South Wales to develop properties. Through this bill, the government will drive productivity and development away from this state.

If developers do not make a profit out of their developments, the ramifications for the economy will be enormous. New buildings require raw materials. New buildings need to be fitted out and furnished. Without the development of new buildings, the manufacturing, trade and retail sectors will suffer. Jobs will be lost. What is the Labor government's policy? To look after the working man. It is sure looking after him! The people of Queensland have to pay $10 million a day in interest, development is being cut, growth is being stopped, and jobs are being lost. There is no doubt that that is looking after the worker!

At the same time, through this legislation, this government wants to raise unimproved property values. That will mean higher and higher land taxes. That is effectively a tax not only on developers but also on all businesses and employment. That is where this legislation is leading. The minister and his government simply do not seem to understand that, as a result of this legislation, the only real option for developers and retail and industrial estate owners will be to set higher costs by increasing their rentals. That is just common sense. Through this legislation, the money will be going out from those developers and retail and industrial estate owners so it has to come back in, otherwise they will not survive. Who is going to pay for that? The everyday mums and dads. Increased rents will be passed on to consumers who are already facing soaring fuel, gas and electricity charges, medical costs and, of course, mortgage costs. Interest rates are going up every week or so.

The member opposite might point over to this side, but I say to him that under Keating I bought my first farm on a 21 per cent interest rate. The member should not point across the chamber at me. He should know all about that. This legislation has enormous potential to add to inflation. I would really like to hear the minister explain to the House how this policy outcome fits with the actions of Kevin Rudd and his federal government to fight inflation.

This legislation is nothing but a dog's breakfast. It has not been thought through. It is nothing but a windfall for this government, but its ramifications will possibly pose the most serious threat to our economy that it has faced in years. The threat posed to Queensland by subprime mortgages is less serious than the threat from this legislation. The minister would know that if this legislation is passed, major projects that are being developed not very far from this House will be shelved. The minister would know about the large developments that are occurring at Redbank. Hundreds of millions of dollars are now on hold pending the outcome of this legislation.

Through all of that the minister maintains that there will be no change to the way the valuations are determined. So later when we are debating the clauses we will hear the minister say, 'I can guarantee you that there will be no change.' We will hear that, because we have heard that over and over when we have debated the clauses of legislation that has been introduced previously. When we debated with the minister the last piece of legislation that he introduced he said, 'There will be no

change.' Why does the legislation have to be introduced if there will not be any change? This minister will be known not only as the retrospectivity minister but also as the minister for no change. I repeat: the minister has said that there will be no change. It is a key point that the minister needs to guarantee. I specifically ask the minister for that assurance in his summing-up.

The other big issue—and this is not one that has been mentioned before—

Mr DEPUTY SPEAKER (Mr O'Brien): Order! If I could interrupt the member for Darling Downs for a moment, I would like to acknowledge in the public gallery students and staff from the Hilder Road State School in the electorate of Ashgrove, represented in this parliament by Kate Jones.

Mr HOPPER: The underlying threat from this—

Mr Shine: You were only going to speak for 10 minutes.

Mr HOPPER: I will wrap it up now. I hear what the Attorney-General is saying. The underlying threat from this legislation is that all Queensland property, shopping centres, retail outlets, service stations, industrial sites and home sites in the suburbs are potentially at risk from this legislation. I ask the minister to give a guarantee in this House today that this legislation will specifically affect only shopping centres and that there is no deterrent effect in it whatsoever that can be used against major developments, including those in rural areas and home sites. I ask the minister to guarantee that this legislation is locked up to affect those shopping centres only. There has been mention made of 30 shopping centres. I think that is a smokescreen. We smell a rat. Why has this legislation been introduced?

I look forward to hearing the minister's summing-up, because if he does not mention that in his summing-up he will be asked about it during the debate on the clauses. We will get some solid answers out of the minister today. We do not care how long the minister has to talk to his advisers. I notice he has some very high-profile people present to give him briefings. The big guns of the department have had to come out to save the minister. All of us here know the real reasons for this legislation and that is to retrospectively stop the rash of court appeals to unfair land valuations that have been handed down in the past few years by the minister and his bureaucrats.

Mr HOBBS (Warrego—NPA) (2.57 pm): I am pleased to speak to the Valuation of Land Amendment Bill. This bill is a clear reflection that the unimproved capital value system that we have in Queensland is failing. We are seeing more and more challenges to valuations come before the courts. Quite simply, this Labor government over a number of years has severely underfunded the departments, particularly the department of natural resources and its valuation section. This government has not put in place adequate processes to help those people—the good people in that department—to adequately manage the changes in valuations. Those officers use a very old system that is simply failing. We cannot continue to use unimproved capital value as a basis for determining taxes, simply because the process is outdated. Basically, it is a wealth tax, the amount of which varies from suburb to suburb, from street to street and from each side of the street.

Mr Shine: You didn't change it when you were a minister.

Mr HOBBS: In fact, I did. I thank the Attorney-General for the interjection. I put in place a process. At that time I undertook a very wide-ranging review. A process was put in place. Len Evans did the review. Those departmental officers who are sitting near the minister would know that man. We put in place a process and a plan for the future. Do members know what happened? As soon as Labor got into government, it scrapped it. It would have cost money to fix up the system, but if that had occurred a system would have been put in place that would have changed things quite dramatically.

Down the track we would have found that all these issues would have been resolved. Basically, we have an unimproved capital value system that is failing. The government, unfortunately, has to continue to legislate itself out of trouble. The reality is that the law of the land determined that the system that was used in this particular instance of shopping centres was wrong. We can argue about whether each individual court case is right or wrong but the reality is that the court decided it was wrong. What does the government do, as it always does? It is legislating itself out of trouble.

The other thing that has happened is—and the minister is entirely to blame for this—that the government is bringing legislation into this parliament without adequate consultation with industry. Looking at the explanatory notes, I see there has been some consultation. But I cite, for example, the additional amendments that will be introduced because the industry was not consulted on the final draft of the bill. So some substantial changes had to be made. It is very simple to consult with people. That is all the minister has to do: go out and talk to people and talk to the industry. They are the ones paying the bills. All the minister is doing is trying to make them pay all the time. If this Labor government had a business brain at all it would know that it needs to be able to consult with people and talk to them. Then it may understand in some manner or form how they are thinking and what is the best way to resolve this particular issue.

The bill deals with issues such as intangible improvements, the definition of 'unimproved value', a formula for valuation on prescribed large shopping centres and the awarding of costs and appeals against valuations. We do not have to be Einstein to know that these issues are being redefined and we

understand the reasons this has happened. This is all to the government's benefit. At the end of the day the court found the valuation was less than what the government was charging. So what does the government do? It comes in here today to vote to ensure that that valuation is higher, as are the associated extra taxes that are hooked into that as well. The minister's second reading speech states—

The intention of these amendments is to clarify certainty for owners and local councils ...

Yes, the councils do have some great concerns with these sorts of appeals. It is happening more and more often. The councils are charging a rate. Then they have to pay refunds. That is quite a serious issue. It goes to show once again that the system is failing. We do not want councils to have to pay money back or whatever the case may be. We really need to ensure that the system is working. The system is not working. The minister further stated in his second reading speech—

The proposed amendments will aim to protect the integrity of the valuation system ...

I agree. We all want to protect the integrity of the valuation. Unfortunately, the main principle driving this is the government protecting its own backside and its coffers—the money coming in. That is what is driving this legislation.

Because of the gag that has been applied to this debate and the fact that there are many speakers on the speaking list, I will conclude. There are many things I could talk about here today. I am pleased to see that at least this time the minister has a few high-powered public servants with him to help him out. He needs all the help he can get.

Hon. KW HAYWARD (Kallangur—ALP) (3.03 pm): In rising to participate in this debate on the Valuation of Land Amendment Bill 2008, I would like to address the valuable contribution which the department makes in providing statutory valuations on land each year and the need for surety in these valuations as a revenue base for assessing rates, land tax and the state land rental.

These amendments do not propose to change the practice undertaken by state valuers in the way they value highly developed properties. The Valuation of Land Act requires that the department make statutory land valuations of up to 1.6 million properties in Queensland to be used as a basis for the collection of rates by local governments, land tax by the Office of State Revenue and state land rental by the Department of Natural Resource and Water. The use of statutory valuations as a basis of revenue gathering is used throughout Australia and in many overseas countries. It has been found by far to be the most effective way of distributing this financial liability to those people who demand and use the services that are provided by governments. These amendments provide a surety to these public entities that they have a known revenue base to allow them to provide those essential services which the Queensland public expects. The recent Land Appeal Court decision on the 2003 valuation for the Chermside shopping centre impacts not only on the valuations, which were effective on 30 June 2003, but on all valuations of 11 other shopping centres which have an outstanding grievance, either in the form of an objection to the chief executive or an appeal to the Land Court.

The court's findings have the potential to also impact on the formulation of other complicated valuations associated with, for example, theme parks and industrial and multiunit lands where the continuing use of a property has to be taken as a given in the making of the valuation. The valuation approach adopted by the Land Appeal Court had the potential to drastically reduce valuations but also to require the refund of revenue by many local governments and the state government. The outcome of this is that both local governments' and state government's ability to undertake necessary public works and community services could have been impacted upon to the detriment of local landowners. This uncertainty cannot be allowed to continue and the procedure set out in the legislation will restore surety. In the end, that is what I think people expect governments to be able to provide—that essential surety.

The Chermside valuation, which was the subject of the recent court decision, was effective on 30 June 2003, but the Land Appeal Court did not hand down its decision until October 2007. Without these amendments, the decision of the Land Appeal Court would have significant impact on all appeals and objections which are still outstanding against shopping centres and other highly developed property valuations, some of which also go back to 2003.

The Land Appeal Court in the Chermside case suggests that the government should develop a more simple process for valuing large shopping centres. The legislation before the House provides a simple process based on the application of a formula which was developed with support from the Property Council of Australia and the Shopping Centre Council of Australia. It provides guidance on how the valuations for the 30 prescribed shopping centres are to be calculated and removes any need for the undertaking of complicated valuations which were the subject of criticism by the Land Appeal Court. The government has moved quickly to protect the revenue base of local governments and to ensure that landowners are not deprived of those essential services which are expected to be provided by this level of government.

It has also moved—and that is again what this legislation will do—to protect the state government's revenue base to allow it to meet its commitments to provide services to the people of Queensland. I commend the bill to the House.

Miss SIMPSON (Maroochydore—NPA) (Deputy Leader of the Opposition) (3.08 pm): This legislation is rushed, retrospective and has red flags hanging off it. When anything comes before the parliament in such an appalling way where there has not been prior consultation, real consultation with those who are most affected, where there has not been any consideration of the downstream impacts, we have to question not only the competence of the minister but also how this department and how this government as a whole are operating.

This legislation has been an absolute dog's breakfast. That it is now being guillotined and rushed through is only further indication that this minister and this government do not want a real examination of the implications of the legislation. And now, at the last minute, amendments have been dropped on the table of the House once again without adequate scrutiny and accountability to the broader public and broader industry. We know that there have been discussions with industry at the last minute. Industry was promised certain things. The government did not deliver on those commitments and so there is another revision of amendments. But still this legislation is on a short time frame. It is to be pushed through and rushed through in a way which raises the question: what else has the government missed?

The implications of land valuation are significant for a broad range of people. There are implications for the rates that an average householder pays. The government says that the wording of this legislation is all about particular types of commercial property—in this case major shopping centres. However, industry has said that the wording of the legislation sets a precedent that could be interpreted to be applied far more broadly. Why should we come into this place and listen to the government say, 'Trust us. We don't intend to really rip you off and apply this more broadly. Just trust us.' We do not intend to trust the government because those who have the legal expertise and understanding of how valuations operate say that this legislation does have far broader implications than just commercial properties and particularly shopping centres. We should listen to people in the industry who undertake valuations for a living. They have to be responsible as professionals for the valuations and the advice they give their clients. I wish there was the same level of responsibility at a ministerial level for the advice they give the public about the legislation they are presenting.

What we see with this legislation is a situation where the full implications are really unknown, other than what we have been told to date by industry. I have talked to industry and they have said that they were prepared to shut down their investment in Queensland. That will affect a lot of people—a lot of battlers who rely on their jobs and who rely on certainty and investment in their areas. Such investment ensures that there is ongoing supply of industrial land for other types of development and commercial property, and that gives surety of jobs and surety of investment in the Queensland economy.

This legislation has been handled so badly that it has evoked some of the strongest wording I have heard from some industry members who are usually fairly sedate in how they apply their language to legislative issues. They have been quite clear that if the legislation goes through in its current format—and they still have questions about the amendments—there is the potential that jobs will shut down and there will be a reduction of real investment and ultimately the delivery of timely commercial infrastructure in local communities.

On principle, when it comes to anything that is retrospective, anything that is rushed—amendments that we see slapped down on the table at the last minute without proper scrutiny—we have to say that it is dangerous and it has not had the scrutiny that this parliament and the Queensland people deserve. I certainly register my opposition to the appalling way this has been handled. If there are going to be alterations to the way valuation systems operate in Queensland, it should be done properly. It should not be done in an ad hoc way. It should not be done retrospectively because the government stuffed up in the way it handled a particular case in the courts as that has ramifications for the valuation system. The government should understand that these issues matter. They do impact the battlers who are supposedly in the backyards of the Labor members. I have battlers in my backyard who rely on government to make legislation. It affects the big end and the small end of town. We deserve better and so do those people.

Mr STEVENS (Robina—Lib) (3.13 pm): I rise to speak on the Valuation of Land Amendment Bill 2008 and, like my coalition colleagues, oppose this retrospective bill with great abhorrence. Without doubt, it is just another way for this government to continue its tax-grabbing regime. We are here today to push through this bill to make up for the failures of the previous minister and the previous department's efforts in 2003 which came to a grinding halt, a screaming mess, in the courts. As we know, we pass legislation that is subject to the final decision of the courts as to its legality, and the courts have found that what this government pushed through in 2003, even with some of the well-known solicitors such as the member for Southport and your good self, Mr Deputy Speaker Hoolihan, giving advice, was botched legislation. The shopping centre owners, as we all recognise, had the right to go to the courts to get a determination on this legislation, and the courts found that the government was fining these Queensland taxpayers unfairly on their valuations. Now the government is going to try again with retrospective legislation going back four years to pick up all those moneys that are probably missing. We are looking at 30 prescribed shopping centres now.

Mr Lawlor: Just like John Howard.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Southport.

Mr Lawlor: Remember John Howard?

Mr Hopper: Kick him out. He's ignoring you.

Mr DEPUTY SPEAKER: I remind the member for Darling Downs that rulings are made by the chair, not by him.

Mr STEVENS: Thank you, Mr Deputy Speaker, for a bit of decorum in the House. It is much appreciated.

Mr Lawlor: How condescending are you!

Mr STEVENS: He is still going. So what happened to this failed legislation that was brought in by the minister and the officers at the time? It has been brought back into the House to be dragged through again, and I am sure there will be another court case on this legislation from the 30 prescribed shopping centres. There will be more shopping centres coming on line under this legislation. There are 30 prescribed shopping centres now, but Coomera town shopping centre is just around the corner. I am sure it will be added to the list later on when we go for another money grab further down track. Then we will probably expand it to other commercial properties. We will work out our new valuation methodology to grab more land tax off them in the future.

This is bad legislation. It is retrospective legislation. Unfortunately, this government is caught in a very embarrassing situation whereby the legislation may be expanded to other areas that may make other objections. That is why this legislation is being forced through. I would certainly like to the congratulate the shadow minister for natural resources and water, the member for Darling Downs, Mr Ray Hopper, on his excellent pursuit of this bad legislation through the debate in this House.

The objectives of the bill are to amend the Valuation of Land Act 1944. I think a little differently, probably because I come from a local government background. I think the unimproved capital value system has been an excellent methodology for putting a tax on people, particularly for local government. The unimproved capital value system has proved to be very successful over many, many years. Now we have a tricky little formula to try to grab more tax from certain people. There is a great feeling out there that if we put a tax on big shopping centres it will not hurt the little guy. It is the same Labor Party thinking that if we put a tax on a developer it will not hurt the little house owner.

How wrong the government is, because the big shopping centre does not hang in with the tax. The big shopping centre says, 'Righto, little small business tenant. Righto, Mr and Mrs Average. You will pay for this land tax through increased lease payments next time,' and so those payments will jump massively. Or people will pay for this land tax through the increased cost of goods such as food—the sorts of things we are trying to hold back inflation on. It is just the same as the big developer that never pays for the PIP charges or any charges that are put on them by state governments and councils. It gets passed through to the home battler and the first home buyer, and that is why we have the housing affordability crisis that we have today. This tax will be passed on.

The idea of this change is to raise more funds from land tax from these big operators. The councils have already taken the lead in raising more tax from these big property owners and have put in, as we know under the Local Government Act, a 20 per cent kicker in most cases, and more in others, in terms of putting up the rates in a differentiated area. That is the way in which this should have been operated. This should have operated through the land tax regime. The government should have identified those properties. If it wanted to collect more land tax from these particular properties that it had identified, it should have attacked it that way rather than going through this complicated process of walking away from the unimproved capital value system that has got the government into all sorts of trouble, and I am sure it will get the government into more trouble when there are more court cases in the very near future.

The amendments address matters raised by the Land Appeal Court in the Chermside shopping centre decision handed down in October 2007. The change in this legislation is based on that case—PT Ltd and Anor v Chief Executive, Department of Natural Resources and Water. The court handed down its decision and determined that the definition of unimproved value on land in relation to improved land requires the improvements to be treated as if they had never been made. This means that the value of the land, regardless of the valuation approach, is based on the land component and the land component only. Therefore, the two charges and the prescribed improvement charges that we tried to put on would fail at law.

As stated in the minister's second reading speech, the amendment to this bill only applies to highly developed properties and does not apply to residential or rural properties—but I would add the word 'yet' after that sentence. We will see that come in down the track. Commercial properties will be next, as this government becomes more and more desperate to raise funds to meet the interest payment of $10 million every day. That is $70 million in one week. It is enough to buy those seven schools that the government is now looking at the private sector to buy. In one week, we could have seven schools and not have to put public schools into the private domain.

This bill will increase land values for shopping centre owners and is designed to bring in more tax for the state Labor government, which of course is struggling with its $55 billion black hole. This is another way that the government is trying to rectify its mismanagement—by penalising the owner and small business operators. We must not forget that it is the small business operator who cops it. It is not just land tax going into the state government coffers; out of this little valuation exercise the councils—which already put a burden of differential rate on these properties—will now have a higher valuation on which to put their extra differential rate on these 30 properties that are identified today. There will be more shopping centres to come if people are game enough to build them in the current climate where the government is putting on all these tax burdens.

It is an absolute shame that the Labor government is going down this way—in that it lost in the courts and it is going back for another loss in the courts, which I am sure will happen down the track. Even the industry, as the good member for the Darling Downs said earlier, is concerned about these changes. The Property Council—which has been telling people about housing affordability and diverting this crisis we have today—has expressed serious concerns that 'the bill as tabled does not reflect the policy intent as detailed in the minister's second reading speech in parliament'. The Property Council said that if the legislation is passed through parliament land valuations across the state would significantly increase, trebling the value in many cases. This state government is irresponsible—

Mr Hinchliffe: You are out of date. What did they say today?

Mr STEVENS: I take the interjection from the member for Stafford. Unfortunately, I was at another bipartisan meeting and I could not be at the meeting the Property Council had today to talk about the amendment so I am unaware of where we are moving there and how it will affect the bill. That exacerbates the issue now of why the government is ramming this bill through in three hours this afternoon without giving all members an opportunity to be informed and to vote on the matter properly. So I thank the member for Stafford; I appreciate that interjection.

The response from the Local Government Association of Queensland is also valid. It has concerns about the retrospective financial impacts of this bill for business. The amendments refer to the 30 shopping centres across the state that fall into the category of large regional shopping centres at this time.

'Unimproved value' is based on the value of land before any assets are built on it. We understand that. 'Improved value' means land with assets—for example, with a shopping centre on it. So the determination will be the new determined value less the improvements of the shopping centre. So there will be a value on the land in that form. It is an absolute mishmash; it is intangible. It has got to be the worst attempt at land valuation I have ever seen. I am sure if people went out to the property industry for a tender on a property they would find out in five seconds how much the land is actually worth on the commercial market.

All the valuers today value their land on the commercial value. The officers over there say, 'We take it on other land sales around the area. That gives us the commercial value. We don't have shopping centres turning over every day so we can't do it that way. We'll have to try another way.' I have to tell the House that they are burglars. The member for Kallangur mentioned earlier that 1.6 million properties are valued as a basis for collecting the combined taxes across the state. The department goes out and collects money. During 2005-06, it pulled $600,000 out of the Gold Coast City Council for a valuation but it never bothered doing the valuation. The department said, 'It's the same valuation as last year but we'll have the $600,000, thanks very much, because we need that money to go off and do whatever we have to do at lunchtime.'

The matters that are coming through in this legislation are obviously built on desperation by this government. They are built on the department's desperation to find an alternative to historical unimproved capital value. It is a failure at this time. This legislation will be a failure as well. I do not believe that anybody will benefit from this. Small business will be killed with another tax on them. The tax will not land on the big business end of town, as the government and the valuers purport will happen. I can only say that this is another sad indictment of a government in serious financial difficulties bringing in ridiculous legislation that will in the end see it put out on its ear.

Mrs SULLIVAN (Pumicestone—ALP) (3.27 pm): I rise to support the Valuation of Land Amendment Bill 2008. In doing so, I note that this bill is retrospective in nature and will affect a number of major shopping villages in the state. This bill was introduced by the Minister for Natural Resources and Water, Craig Wallace, last month. It amends the Valuation of Land Act 1944 and deals with matters relating to the Land Appeal Court in the Chermside case.

Various methods are used by valuers employed by the Department of Natural Resources and Water in undertaking statutory valuations. These valuations are often used by councils, the Office of State Revenue and the Department of Natural Resources and Water to calculate rates, land tax, Crown leases and other state land rentals. Obviously, it is not compulsory to do this—there are other methods of calculating rates—but they do use it because it is a good system.

I would also like to address some of the problems I am advised valuers encounter when using valuation methodologies. The current legislation addresses how approvals to develop and use a piece of land should be treated by a valuer when analysing a sale or applying a valuation to a vacant or unimproved property. The Chermside shopping centre decision—and this was a decision of the Land Appeal Court—found that any approvals which had been granted for the development of the shopping centre had to be assumed not to have been obtained and that the valuation had to be made against the assumption that there was a risk associated with obtaining the already existing approvals. Statutory valuations in Queensland are made on an unimproved land basis under the Valuation of Land Act 1944. In its simplest form, using this method, a valuer says, 'Here is a vacant piece of land. What would it sell for?' Even this simplistic approach can be complicated when there are few sales of vacant land and there is a possibility that purchasers are prepared to pay a premium and/or above market price to obtain a scarce commodity.

There have been other court cases in New South Wales that have highlighted the complexity of the application of this valuation method. The High Court in the matter of Anthony Maurici v Chief Commissioner of State Revenue in New South Wales held, among other things, that—

The respondent's valuer had been overly selective in using a small number of sales of scarce vacant land and in not using also sales of improved properties, in order to deduce a land value of the applicant's improved property'.

This matter was referred back to a lower court which had to consider if the analysis of sales of improved properties supported the level of value disclosed by the few vacant land sales. In the situation where there are no sales of vacant land, a valuer may use any method which is accepted by a court of review to arrive at the unimproved value of a parcel of improved land. This may well include a hypothetical development of the land or the analysis of sales of improved properties of a similar nature. A hypothetical development of the land method is where the valuer notionally erects on it an imaginary building for its most beneficial use in order to arrive at an improved value and then deducts the value of that building so as to determine the hypothetical unimproved value. That is to say, a valuer would look at the site of the shopping centre at Chermside and recognise its current use and purpose but would ignore the actual business. It would ignore any business licences that exist on the premises. This method, although available, is somewhat remote from the market evidence and is overturned where there are sales of improved properties which may be analysed to disclose an unimproved value which may be used to value other properties which have a similar highest and best use to the sale property or properties.

The department's approach to analysing a sale of an improved property has been that the valuer would calculate what added value the improvements give to the land and deduct this amount from the sale price to arrive at the unimproved value of the property. The act provides that this added value cannot be greater than the cost of building the improvements at the date of valuation which is being made. Under this approach, any added value which resulted from the obtaining of the approvals forms part of the unimproved value of the land. This is because a purchaser of the site would have the benefit of the approvals and would not have to run the risk of obtaining the approvals nor incurring the expense of logging the applications or paying interest on the land while the approvals were obtained.

The Land Appeal Court in the Chermside decision considered the wording of the act in respect of the approvals and considered that they were now an improvement and should be deducted from the improved value of the property. The court also adopted the Tooheys principle which required that a valuer, when making the valuation of a regional shopping centre, is to assume that the regional shopping centre did not exist and that any approvals necessary for the construction of the centre had never been sought or been given. In a recent decision the New South Wales Court of Appeal described this proposition that improvements are to be taken not only as nonexistent but also as if they never existed as unconvincing and even glib. This process adopted in the Chermside decision is contrary to the practice which has always been adopted in analysing improved sales in Queensland. It also amends the definition of 'unimproved value' by clearly stating that any increase in the value of land which is attributable to the existing approvals or permitted under the local planning scheme instrument forms part of the unimproved value of the property.

This bill amends the definition of 'unimproved value' which will simplify the approach used by departmental valuers in arriving at the statutory values of properties in Queensland. This amendment clarifies the valuation approach which had been adopted prior to the recognition of intangible improvements in the act and the findings of the Land Appeal Court in the Chermside decision. I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (3.36 pm): The Valuation of Land Amendment Bill before us today is aimed at addressing a particular set of concerns relating to valuations involving major shopping centres. Those concerns centre on amendments made in 2003 which were intended to ensure intangible improvements were only applied to unique types of commercial property such as major shopping centres. Intangible improvements were to include such things as the value of a lease, licence, development approval and goodwill. However, a Land Appeal Court decision last year determined that the unimproved value of land required any improvements to be treated as if they had never been made and as a result the value of intangible improvements had to be deducted.

Additionally, this decision also meant that the valuation of such a site had to be made on the basis that there was no certainty it could continue to be used for its present use. The result would be generally lower valuations. These problems are addressed in this bill by retrospectively repealing those 2003 amendments and also clarifying the definition of 'unimproved value' in a number of ways including that the history of use is not ignored; that any increase resulting from or using an improvement, a local planning instrument or development or other approval, apart from a hotel licence, is included; that there is no requirement to assume the improvements have never been made; and that the chief executive disregards any risk in realising the current use of the land.

So the unimproved value is actually increased by improvements and their use, regardless of whether that use is likely to be able to continue. Whatever it is, it seems to me to be a long way from any kind of unimproved value. Nevertheless, that is what the government feels it needs to do to escape the consequences of the Land Appeal Court decision. In its decision the court called for a simpler process for arriving at unimproved value where the land in question was, in fact, highly improved. However, the explanatory notes indicate that the department will undertake a review into achieving that, starting this month. So what we have before us is, in fact, retrospective legislation that is only interim at best.

It appears clear from the explanatory notes that this legislation is, in fact, being rushed through because there are another 12 regional shopping centres which have similar grievances as that dealt with in the Land Appeal Court. I believe that it is not acceptable to jump temporary, interim and inappropriate legislation into effect simply to circumvent the due process of law, yet that is what the members opposite are proposing. The new interim system includes the use of a commercial land index to multiply the existing unimproved value of prescribed land. This multiplier will be based on the average change of unimproved value of commercial land, not including shopping centre properties, but will be applied to regional shopping centres. The new formula will be calculated retrospectively to 30 June 2003 but only applies to valuations effective from 30 June 2008.

I acknowledge that the government will use whichever valuation is the lower—the one under the existing formula or the new simplified one. I also note that there will be rating and land tax implications as well but there is no indication of what the government will be doing to address those issues at this point. Even the Shopping Centre Council of Australia would prefer the existing laws and the court decision to stand. I believe that is a very reasonable position and I do not believe it is at all reasonable for a government to disagree with the court and bring in retrospective temporary legislation to avoid the consequences. Changing the system for future valuations is one thing, but this kind of law-making makes a mockery of our courts and demonstrates this government's arrogant disregard for its obligations to the people it is meant to be serving. I oppose the bill.

Mr PEARCE (Fitzroy—ALP) (3.39 pm): In rising to participate in the debate on the Valuation of Land Amendment Bill 2008, I would like to address the development of an index which will be used to arrive at the increase in valuations for the prescribed large regional shopping centres. I would like to make it clear that these amendments do not apply to residential or rural properties and only apply to the prescribed shopping centres.

The Valuation of Land Act 1944 requires that the Department of Natural Resources and Water make an annual valuation of all properties on an unimproved basis. This requires that the land be valued in its natural state as it was prior to any works being carried out but reflecting the environment in which the land is situated, plus the potential actual use of the land considering planning and development approvals.

In a recent decision of the Queensland Land Appeal Court in the Chermside shopping centre case the court provided some observations about the difficulty of calculating an unimproved value of the shopping centre and suggested that 'consideration should be given to devising a similar process for arriving at unimproved value' in cases such as the subject. The decision of the Land Appeal Court raised a number of issues. The court said in its judgement when discussing the complications which were encountered in assessing the valuation of the Chermside shopping centre—

> If litigation of the cost and complexity of the present case is to be avoided in the future, we are of the view that it would be desirable if the Valuation of Land Act was to provide for a mechanism by which the unimproved value of major commercial enterprises could be assessed without the need for the difficult, lengthy and complex evidence of the kind which was adduced before the Court below.

There are outstanding grievances, including objections or appeals, relating to valuations of 12 regional shopping centres. If these matters were to proceed to hearing there would be considerable resource implications for local governments, property owners and the state. It is also possible that the matters may not be called before the court for a number of years, resulting in a further undesirable delay in deciding these complicated matters. Therefore, there is a need to introduce a transparent and easily understood process for arriving at a valuation of the shopping centres as suggested by the Land Appeal Court. That is what this legislation is about. It is about fixing up a problem that was identified by the Land Appeal Court.

As part of the annual statutory valuation process the department calculates the increase in value for lands which are used for similar purposes. For example, all lands which are used for any commercial purpose, ranging from a single corner shop up to a drive-in shopping centre, are classified as 'commercial'. For simplicity, the amending legislation provides that the increase in the commercial land will be based on the movement of commercial values across all the local governments that contain a prescribed large shopping centre, excluding the Brisbane city local government area. This will moderate any effects associated with localised fluctuations in commercial values and the disproportionate effects of any large increase in the Brisbane city local government area.

As there will be no valuation for the individual prescribed large shopping centres at the time the increase is being calculated, these properties will be excluded from the calculation of the index. There are 30 prescribed large regional centres which are to be escalated using the formula. These shopping centres have been identified by the Property Council of Australia in its shopping centre directory.

Of the 30 prescribed shopping centres, 12 are subject to appeal and are listed at part 1 in the schedule. The other 18, not subject to grievance, are listed at part 2 in the schedule. In the case of the 18, the 2003 valuations will be increased by the index derived for the annual valuations which have occurred up to this time. This will calculate the valuation which is due to be issued in March this year.

However, the historic valuation back to 2003 will not be changed. This process simply provides an equitable starting point for the calculation of values in the future. In the case of the 12 properties that have outstanding grievances, the 2003 valuations will, once again, be increased by the index for any annual valuations undertaken up to this time. These recalculated historic valuations will supersede the presently issued valuations for these large regional shopping centres. However, where an indexed valuation is greater than the annual valuation already issued for a year, the government will accept the lower valuation.

In other words, none of the 30 prescribed shopping centres will be worse off using this formula. The new indexed valuation will, however, form the base figure to be used for the calculation for the next year's valuation. This process will result in the 12 outstanding grievance properties being valued at the lowest possible amount derived either in the past or as part of a process which will be subsequent to the amending act.

Should there be a loss or an increase in the area of property after the 2003 valuation, the existing valuation will be increased or decreased in line with the proportional increase or decrease in the area. For example, if the area of property increases by 50 per cent, the valuation will be increased by 50 per cent for commercial land only. The proposed amendment provides a transparent valuation process for the calculation of complicated valuations and ensures the revenue base for both state and local governments. I commend the bill to the House.

Dr FLEGG (Moggill—Lib) (3.44 pm): There are a number of matters raised in the Valuation of Land Amendment Bill that are of concern to the opposition and that we will not support. The first thing that I think is of concern to all Queenslanders is the retrospective nature of these changes. We have a fundamental problem with retrospectively changing matters that result in a financial liability to people. The retrospectivity in this bill goes beyond simply clarifying technical issues. Retrospectivity is a noxious activity at the very best of times. If it goes beyond correcting a few technical issues then it is unacceptable. In this case we find it unacceptable.

The issue raised within the bill in relation to prescribed properties is one that warrants closer attention. The government would like to convince us that there is just a group of large shopping centre owners who are affected by this bill. In other words, it wants us to think, 'Don't worry about it. It is big shopping centre owners who will be affected. They can afford to pay.' It hopes that the matter does not go any further.

The fear that the opposition has—and it is a fear that I am sure is shared by many other Queenslanders and certainly is shared by the Property Council—is that this is the thin end of the wedge. What we have seen here is a departure from the 70-year tradition that this state has had of valuing properties by unimproved capital value. This is being done by stealth. It is not being done after some sort of public debate. It is not being done after extensive consultation even with the property industry, let alone the broader community. Once we deviate from that long-established tradition of unimproved capital value being the basis for taxes such as land tax and property rates then clearly a precedent is being set. That is why I am concerned that this is the thin end of the wedge. We are setting a precedent here and saying, 'It is just big wealthy shopping centre owners who will be affected.' Once we depart from the principle nobody is safe from being the next cab off the rank.

When we have asked what the revenue implications of this bill are the government is silent. I would be very keen to know what the revenue implications of this bill are. One thing I am sure of is that the government has not brought this bill into the House in order to lower its revenue receipts. This is a government that is essentially cash strapped. It is a government that is in debt up to its eyeballs. It is $55 billion in debt. That is $10 million debt each and every day. This is a government that is looking for more revenue.

Clearly each department has been instructed to go out and find ways of extracting more money out of Queenslanders. We saw it with increased motor vehicle taxes. We are now seeing it with increased property taxes. But the sad thing about it is that the government has not been honest enough to admit that this is the motivation. It has been positively cloaking the revenue impacts of this decision.

The Property Council has expressed a number of concerns. It believes that this will result in the developers of shopping centres and therefore down the track potentially others being taxed on the risk and the improvement that they have put in place for their properties. It has said that proposed legislation would constitute a new business tax that would impact on a broad range of industries, not just commercial property.

The government has not even been able to convince a lobby group like the Property Council. It went on to say that this could include tourist properties, hotels, downstream metal processing and manufacturing properties, and improved rural lands. If we are going to change the basis we have used in this state for 70 years for levying land tax and for levying council rates, let us not do it by stealth, let us not do it by thin-end-of-the-wedge politics and let us not do it by trying to convince people it is only going to affect major shopping centre operators. Let us be honest and tell the people of Queensland what the true agenda is, and the Property Council says exactly what speakers on this side have been saying all along: land tax will no longer be a tax on the unimproved capital value of land. This is letting the genie out of the bottle in terms of state revenue raising, and it will only be the beginning of a long trend.

Anyone who is tempted to think that land tax cannot be passed on to tenants of major shopping centres because there is a regulation that prevents it being included as one of the outgoings for the tenants should think again. Large shopping centres are largely monopolistic businesses because of the position that they enjoy geographically and they are in the ideal position to ultimately pass on all of these tax increases to their tenants in the form of higher rent, because the tenants have no choice. The government is going to pass this on not to big business but to small business operators, and many of them, and they in turn will have no choice but to try to recover that cost from their customers.

We have heard some lip-service paid in this place and other places to inflation. Even today we heard about government being worried about higher costs to consumers. This is a state government tax that will inevitably flow to small business and to consumers. I am conscious of the fact that the government was not willing to allow full debate on this bill. After looking at it I can understand why it was not prepared to do that, so to allow other speakers to have a say I will leave my remarks there. It should be clear that this is a matter that should be of concern to Queenslanders, and I believe the business community and the broader Queensland community will support the opposition in condemning and opposing it.

Mrs CUNNINGHAM (Gladstone—Ind) (3.52 pm): I rise to oppose the Valuation of Land Amendment Bill for two major reasons. One is its retrospectivity and the second is the guillotine that has been applied, because it has not given an opportunity for matters to be properly discussed and properly clarified. The unimproved capital value, as other speakers have said, has been the historic valuation basis for property in Queensland and it has a great deal of advantage. When I was in local government there was talk about having valuations based on the capital improvements. I remain opposed to it unless there is some explanation that can clarify for me how a tax on improved value will not be a disincentive for people to improve the properties that they own.

In his second reading speech the minister said that the amendments only apply to highly developed properties and do not apply to residential or rural properties, and I would seek his undertaking that there will not be bracket creep and that it will not be applied to residential or rural properties or indeed to places like the small corner stores and the small shopping developments. Previous speakers have been right: the big shopping centres will not carry this cost; they will pass it on to their tenants in some form or another.

Because of the limit on time, the only other issue I will raise relates to consultation. The explanatory notes state—

> Consultation has been undertaken with the Shopping Centre Council of Australia, the Local Government Association of Queensland and individual local governments in which prescribed shopping centres are located.

But it is important to read the results of the consultation. Again the explanatory notes state—

> The Shopping Centre Council of Australia has been consulted on a number of occasions. The Shopping Centre Council of Australia would prefer that the legislation not be amended and the decision of the Court relating to Chermside be applied. The Local Government Association of Queensland and the impacted local governments (Brisbane, Gold Coast, Logan, Toowoomba and Townsville) have expressed concerns about the retrospective financial impacts.

So we are again making decisions in this place that have a direct impact on local governments in a negative way, and in this sense it is on their budget bottom line, and again with retrospectivity so they have had no time to budget for it. So some of these councils have been caught in a number of ways at this particular point in time. The current local government elections cost far more than was ever budgeted, so they have to find money for that. Here is another cost to these designated councils, and local governments are caught in that nexus on many occasions. The explanatory notes go on to state—

> The Department of the Premier and Cabinet, Queensland Treasury, the Office of State Revenue and the Department of Local Government, Sport and Recreation support the proposed legislative changes.

As they would, because it will have little impact on them in a practical sense. Retrospectivity is abhorrent, particularly retrospectivity that corrects or alters a decision that has been made in a court where the parties to that decision have acted in good faith. As I said, there are a number of reasons I oppose the legislation. They are a couple of the major ones.

Mr HORAN (Toowoomba South—NPA) (3.55 pm): We are seeing the Bligh Labor government slide into absolute ministerial mediocrity. During the last sitting of parliament we had the appalling Thursday night performance of the Minister for Natural Resources and Water, and now again we have another bill rushed into this parliament—a bill of major importance—with seven amendments. If one looks at the schedule and considers the time it takes for divisions and so on, one sees that there will be two minutes per important amendment. That is the way this government has slid into mediocrity. We have the minister for energy, who forgot to pay the $55 rebate to pensioners on their gas bills going back to 1 July, and the Minister for Health, who does not know what the hell is happening in his department and a poor nurse up north suffered the trauma that she suffered. It is just getting worse and worse, and today we see it again.

The catalyst for all of this is the financial position of the government whereby every nook and cranny is examined and every rock is being looked under in order to bring in more tax because of the $55 billion debt and the $10 million a day interest payment that that generates for government and government owned corporations and the fact that there is mostly no capital repayment plan for much of that debt. As a result, we have this situation before us, and other members have said that it is because of a court case and all the rest of it.

Also, the legislation is retrospective. I predict that this will be the start of higher prices for food and higher prices for clothing for the average battling Australian worker and pensioner. That is what will happen, because many of these shopping centres—if not all—are owned mostly by superannuation investments. They have to provide something to the retirees who are looking to earn something from their investments. In turn, this increase in land tax will be passed on to the tenants. As the member for Moggill said, they are mostly trapped in major shopping centres because if they move out of them they move away from the traffic flow of customers. So they are going to have to pass it on as well.

I ask members to think about the average shopping centre that is popular in their area. What is in there? Food, clothing, chemists, newspapers, CDs and DVDs, electrical goods, pet shops and all the rest of it. All of them are going to have to pass this cost on. On top of the escalating petrol prices, on top of the escalating electricity prices—by over 18 per cent in Queensland in about a 12-month period under this government—on top of the gas prices that have gone up by 350 per cent in places like Toowoomba, where there is no competition, and on top of the $200 extra the government is charging on a second-hand car at $16,000 that the average pensioner or worker tries to buy, the government is going to be collecting more tax from the shopping centres. That will get passed on to the small businesses and that will get passed on to the customers.

Our continued warning to the people of Queensland is: Labor has forgotten you. Labor does not care. Labor is in a financial morass, and you will be paying through the nose through taxes, through the food you buy, through the clothing you buy, through the cars you buy, through the gas you buy and through the electricity you buy.

At this stage this bill applies to 30 prescribed shopping centres. One of them is Grand Central Shopping Centre in Toowoomba, which was funded originally by the Queensland Investment Corporation. If that organisation still owns Grand Central Shopping Centre, retired public servants who, with their superannuation, were trying to get some sort of a return on the money they have invested with that corporation so that they can live on that return when they retire and not be putting out their hand for a pension from the government are going to be affected by this legislation. But let us not kid ourselves: this legislation will not stop at the Grand Central Shopping Centre. There are other shopping centres in my electorate that are almost as big as Grand Central Shopping Centre, such as the Kmart complex, the Wilsonton Shopping Centre, the other major shopping centre in Margaret Street just up from Gardentown and Grand Central Shopping Centre, major strip centres such as those at Westridge and Middle Ridge, and a major proposal for the old foundry that will bring new and modern shopping to the city. What is going to happen to all of those? Why does the legislation affect just Grand Central Shopping Centre at this stage? Members should not kid themselves that this legislation will not affect these other shopping centres.

With this government in dire circumstances, we can just see it sliding this legislation on to every other major development that is similar in principle and concept to a shopping centre, such as a big industrial estate. Through this legislation, the government is lifting the unimproved capital value by intangible things such as business costs, the profit that the development is making, its lease business, its planning costs, its financial costs—all of those sorts of things. They are all being put into the formula to make the valuation a bit higher so that the government can get a bit more money so that it can try to manage the $10 million a day interest cost that it has to pay on its debt. So why will this legislation not slide on to other complexes that are similar to shopping centres on the principle that they are major developments that have tenants, customers and all the rest? Why will this legislation not slide on to

rates? Of course it is going to affect rates. Council rates are based on unimproved capital value. So of course there is going to be a flow-on effect from this legislation—and not only in relation to the rates paid by these 30 shopping centres but also to other developments as the government extends its claws further and further.

This legislation is nothing more than a money grab. It is always wrong to introduce retrospective legislation. It is wrong when people, whether they are in big business, small business, or work individually, have done something by the law but then find out that, because of the introduction of retrospective legislation that changes the rules, what they have done lawfully is no longer lawful. That is why a number of members on this side will be voting against this legislation.

I repeat: this legislation is bad legislation. It is wrong because it is retrospective. It is going to hurt the little people. The Labor spin is that the owners of the big shopping centres will be affected. But the superannuation funds of the little people are invested in those shopping centres. Small business will also be affected. Mark my words, the customers will also be affected. They will be affected through the price they pay for bananas, for a cup of coffee, for the *Courier-Mail*, for clothes and for everything else that all of our constituents get from shopping centres. They will be the ones who will pay.

Mrs STUCKEY (Currumbin—Lib) (4.03 pm): I rise to contribute to the debate on the Valuation of Land Amendment Bill 2008. The bill deals with the formula for valuations of prescribed large shopping centres, intangible improvements, the definition of 'unimproved value' and the awarding of costs of appeals against valuations. The amendments contained in this bill address matters raised by the Land Appeal Court in the Chermside shopping centre decision handed down in 2007. The government, defeated by our judicature and with egg on its face and with its tail between its legs, intends to legislate retrospectively to enforce its own method of unimproved land valuation.

As members have already heard from the shadow minister, the honourable member for Darling Downs, the coalition will not be supporting this bill, nor will it be supporting the retrospective intent of this legislation. Retrospective legislation is contrary to fundamental legislative principles and the setting aside of these amendments to act as if they were never enacted is faulty. The bill intends to introduce changes to the Valuation of Land Act which include the repeal, with retrospective effect, of the amendments that were made in 2003 that introduced the concept of intangible improvements to the Valuation of Land Act; to clearly define 'unimproved' as prescribed in the act to recognise the existing use of land or highest and best use; and to include a formula for the valuation of nominated large shopping centres, with calculations commenced and based on valuations effective prior to 30 June 2003.

Whilst the explanatory notes purport that the legislation makes no major change to the current legislation, the fact of the matter is that there is a radical alteration in the valuation methodology that has existed in our state for the past 70 years. These changes will undoubtedly affect our economy and, consequently, inflation through increased taxes.

In a blatant act of underhandedness, the explanatory notes to the government's proposal mention only large shopping centres, whereas the reality is that these sweeping changes may affect all land valuations. The explanatory notes comment only on the impact the bill will have on large shopping centres. However, legal opinion and a reading of this bill strongly indicate that the changes will affect all land valuations, ranging from those of shopping centres and commercial property to rural and residential land.

The changes mean dramatically increased revenue for the state government. But I ask: out of whose pockets will these increased taxes come? I can tell members that the extra costs will be passed on to consumers—our state's battling families—and will most certainly not be worn by the likes of Westfield. In reality, the amendments to the act will impact not only upon landowners and business alike but also on the mum and dad investors who own and operate small family businesses as a means of support. This bill serves only to further push small, family owned businesses by increasing the amount of land tax that they will be required to pay. Without doubt, this bill will significantly increase the amount of tax that businesses will be required to pay to the state. These extra taxes will spell the imminent demise of small business.

The imposition of more tax on small business is not the answer. We need to encourage the growth of small business rather than impede it with yet another business tax. True to form, the Labor Party has yet again proved its absolute derision for small business as this legislation is another prime attempt to snuff it out. The rapidly rising cost of living is already putting further financial pressure on struggling families in my electorate of Currumbin. The interest rate rise on 4 March marked the second hike in rates under the Rudd Labor government, occurring within the space of the last month. That rise, coupled with the increasing cost of basic goods, services and commodities such as rent, mortgage repayments, food, clothes, petrol and electricity, is causing severe financial hardship for families.

The Bligh government is only increasing this tax in order to recoup some of the costs of servicing its $55 billion debt. This is particularly evident from the government's decision to make this bill retrospective and also to subject commercial, industrial and multiunit properties to this valuation

technique. The government is penalising Queensland citizens in order to compensate for its poor judgement and decision making. This bill is just a desperate bid to find ways to grab more money from the people of Queensland. It will increase the amount of tax that landowners will have to pay, with these costs passed on to shopkeepers and, ultimately, on to consumers. We then have the indefinite of whether this tax will apply to all land, including residential and rural properties. So much for a Smart State trying to encourage economic development! Is the government intent on instilling measures that will handicap our businesses and ultimately our constituents? This bill would suggest so.

Mr MALONE (Mirani—NPA) (4.07 pm): It is with pleasure that I rise to speak to this rushed piece of legislation. Again we see the minister bringing controversial legislation to this parliament. We have very little time to speak to this bill. The bill is retrospective. It does not underpin the valuations of big shopping centres throughout Queensland. My belief is that the provisions of this legislation will flow through to many other shopping centres throughout Queensland and ultimately down to family businesses.

The real issue is that the government is short of money. It has to make the budget that it will hand down later in the year come together. It has to get the money to pay for infrastructure that was poorly planned, overpriced and overtendered. So the government has a problem.

The issue of valuations and the unimproved valuation of land is huge. Quite frankly, it has a great impact on a lot of the superannuation funds that underpin most of those shopping centres. If members think that this bill will just affect big business, they should think about all the little people in our community who have put some of their money into superannuation funds. As other speakers have said today, the increase in cost to those shopping centres will not just stay with those shopping centres; it will be passed on to the tenants of the shopping centre—the bakery, the butcher, the newsagent. They will all have to increase their prices to cover the extra cost to them.

There are some fairly substantial shopping centres in Mackay, Rockhampton and Cairns—all the way up the coast. Where are they going to end up, ultimately? This is not one piece of legislation for just 12 shopping centres throughout Queensland. It is quite unbelievable. I cannot see any shopping centre in the centre of Brisbane that is being targeted by this. What about the Myer Centre and all those other shopping centres in the main area of Brisbane?

This is taxation by stealth. This is a way to ensure the government has enough funds to scrape through this year and to ensure it brings in a budget that it can actually live with—or everybody else can live with, for that matter. It is a tax by stealth. It is retrospective legislation—the worst possible legislation. Some of us were briefed today—and a lot of us could not make it—on the amendments that are to be introduced. We do not have a clear handle on all those amendments. Obviously the shadow minister will, but throughout this parliament there will be people who do not really understand them.

I want some guarantees from this minister that this legislation will stay in the context in which it appears this afternoon. We have seen similar legislation brought to this House before. Quite frankly, the government is not good at drafting legislation. Time and time again we see legislation pushed through this House. The Vegetation Management Amendment Bill was a typical piece of legislation brought into this parliament. How many times have we amended that legislation now? This will be another piece of legislation similar to that. On and on it goes. We come back to this parliament and bills are jammed through again. Nobody sorts it through. In respect of the last piece of legislation, even the departmental officers did not appear to be able to brief the officers on what was happening.

This is not good enough. The government has a majority in the House. It should use it to bring in good legislation, to give Queenslanders good government. The government seems to be chasing its butt around all the time. The time wasted by the Leader of the House this morning trying to denigrate one of our members in this parliament could have been well used in debate this afternoon. It seems to be going on and on. All we see from the opposite side of parliament is the government using every opportunity to take one of us out, to try to use political spin to denigrate people on this side of the House. Any time ministers get up in answer to a dorothy dixer all they do is have a shot at somebody on this side of the parliament. It is about time the people of Queensland saw some decent government and some decent legislation come to this House. The government should make sure that, time and time again, we are not coming back to this parliament to have another look at this legislation. Quite frankly, you guys on that side of the House really do not understand business.

Mr DEPUTY SPEAKER (Mr English): Order! Please direct your comments through the chair.

Mr MALONE: Members on the other side of the House do not understand business. They do not know how it works. Land tax is going through the roof in Queensland. People have put money into housing throughout Queensland, hopefully trying to provide reasonable rents for people. I have received numerous emails in my office—

Mr DEPUTY SPEAKER: Order! Normally, I would give you some latitude to make a point. However, given the time constraints, I would ask you to please come back to the specifics of the bill.

Mr MALONE: I am talking about land tax which is directly related to unimproved value.

Mr DEPUTY SPEAKER: You were talking about rent prices in residential housing. That is not relevant to this. Please come back to the bill.

Mr MALONE: I will come back to the bill. Unimproved values right throughout Queensland in relation to shopping centres have risen to such an extent that in a lot of cases the particular piece of land cannot even be sold for the value that has been placed on it by the department.

A government member: Rubbish.

Mr MALONE: That is correct. I can actually detail those. I can get them for the member if he wants. The reality is that people are using their superannuation funds to buy land, whether it is industrial land or shopping centre land or even just normal household properties, to boost their superannuation. Their land tax is going through the roof because they have exceeded the cap. Obviously they have to continue to push up the rents, which affects the battlers out there—the working families, so-called by Kevin07. The reality is that it goes around. Everything goes around in this place. They are now trying to sell off those properties at a loss. The land values have not come down. They will not be realigned for another two years, when it all comes together and then there will be defaults.

There are people in Queensland being put in that situation by legislation such as this. I take the point that this hopefully will not flow on to residential areas, but I am darn sure that, given half a chance, it will.

Mr Wallace: Absolute rubbish!

Mr MALONE: I want a guarantee from you in *Hansard* that that is not the case.

Mr DEPUTY SPEAKER: Order! Please direct your comments through the chair. Please come back to the bill.

Mr MALONE: I ask that the minister in his summing-up gives a guarantee to the people of Queensland that the retrospective legislation being passed in haste through this parliament this afternoon will apply only to the 12 shopping centres currently listed in the bill. Obviously there are other shopping centres that will be impacted upon also. This legislation is ill thought out. I am sure that ultimately down the track—and I do not see anything in the legislation, unless it is in the amendments—it will be able to be passed on to other shopping centres, onto commercial land and finally onto ordinary people—the battlers, the Kevin07s, the family battlers—who ultimately will be paying extra for their groceries.

This legislation is important to all Queenslanders. It is not just about big business in Queensland; it is about the little people as well. This government does not give a stuff. It does not care.

Mr DEPUTY SPEAKER: Order! That language is unparliamentary. Please withdraw.

Mr MALONE: I withdraw. The people of Queensland are going to be worse off ultimately because of this legislation. It is about time that people on the opposite side of the House realised that everything they do in this place has an impact somewhere down the track. I understand that the minister's advisers are concerned and will be hoping to brief the minister on it properly. I hope he has his facts together this time around. Based on his track record, I am not confident we will see some sense from this lot. Unfortunately, we have seen similar types of legislation coming into this parliament and having to be amended time and time again. It is about time people on the other side of the House realise that there are impacts and consequences in having legislation that, in reality, has a huge impact on the people of Queensland.

Mr DEPUTY SPEAKER: Order! You have made that point numerous times. We are under time constraints. Please be aware of standing order 236 in relation to relevance and tedious repetition. Please come back to the bill.

Mr MALONE: I apologise. I did not realise I was upsetting the parliament to such an extent. The reality is that members on this side of the House have spoken in shortened speeches about their concern for the legislation. As I said, we have some huge concerns about the retrospectivity of the legislation. It goes against all principles of good management and good government. It is about time that people on the other side of the House, particularly the backbenchers, stood a few of their ministers up to make sure that when they bring legislation to this House it is of consequence, is important and is well drafted and that the minister is well briefed on the subject.

As I said, I have some real concerns about this legislation flowing on to the ordinary people in the towns right throughout Queensland. The last thing they need now is a land value tax that will impact on their way of life. I am not sure that this legislation will actually help them out in the long run. We will not be supporting the legislation.

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (4.18 pm), in reply: First of all, I thank all honourable

members for their participation in this debate. I am pleased to inform the House that my office was in contact with the Property Council last night and they were pleased with the amendments and the efforts of this government. Many members of the opposition here today have indicated these amendments will lead to dramatic increases in valuations. To assert that these shopping centres will unleash a financial burden onto mums and dads is a tactic designed to unleash nothing more than fear.

Mr Hinchliffe: Misinformation.

Mr WALLACE: I take the member for Stafford's interjection. He understands this bill. He understands it much more than all of the members of the opposition put together. What the opposition fails to understand is that none of the 30 prescribed shopping centres will be worse off. Indeed, in some cases their valuations will be lower. I repeat: in some cases their valuations will be lower. It shows that the opposition has no understanding of this legislation at all.

Despite the unnecessary concern that has been fanned by the opposition here today, these amendments will not trigger dramatic increases in property valuations. I can assure the House today that the market and the market alone drives any increases in property valuations. For example, based on some preliminary analysis of the movement in the Brisbane local government area, I can say that the average movement in statutory valuations in highly developed properties is expected to be lower this year than in last year's valuations. For the opposition to imply that these amendments will significantly increase the value of properties is misleading. It is nothing more than an ignorant attempt to alarm the community. That is all the opposition does. When members of the opposition do not understand an issue—and they very frequently do not—they roll out the conspiracy and disaster theories.

The member for Darling Downs might not have been in One Nation but he was certainly an Independent before he joined the Nationals. I was rather surprised by the histrionics of the member for Darling Downs with his 'the sky is falling' performance. He provided much volume but not much clarity. I also note the divided approach by the National Party on this very important issue. The member for Darling Downs wants a guarantee of no change to the valuation processes, whereas the member for Warrego wants wholesale changes. This may again be the opposition playing silly games with words and getting the context continually cockeyed, or it may be the beginning of a division in the National Party. I also note comments by the member for Warrego that he understands the reason why the changes are being made. Clearly the shadow minister is out of his depth. Clearly the member for Warrego is trying to teach him some lessons. I restate that valuations will follow market movement as they always have.

With the exception of the prescribed 30 large regional shopping centres, this bill does not propose to change the current practice of valuing highly developed properties. Let me make this crystal clear for members of the opposition: this bill does not propose to change the current practice of valuing highly developed properties. It should also be noted again, particularly for the benefit of members of the opposition, that this bill does not intend to change the way residential or rural properties are valued. The intention of this bill is not to introduce a new method of valuing highly developed properties but rather confirms the method that has always been used and continues to be used.

This bill will repeal the concept of intangible improvements. The concept requiring intangible improvements to be treated as improvements where statutory valuations are assessed using the improved value of property was introduced into the Valuation of Land Act 1944 in 2003. The concept was only intended to be used for unique types of commercial property such as major shopping centres. Further, it was only to be used where the valuer determined the unimproved value by deducting the value of improvements from the unimproved value of the property and the owner applied to have intangibles taken into account—I repeat: the owner applied to have intangibles taken into account.

The concept has not proved to be a success because the detailed documentation required to support an application has imposed a burden on owners to provide the information and on valuers trying to interpret that information. The effect of the Chermside decision is that the concept would have to be taken into account for other valuation approaches and for all commercial property and potentially other property types. It is time to repeal this unpopular concept—unpopular not just with valuers but with property owners themselves. The retrospective nature of the amendment is fully justified due to the uncertainty that would otherwise be caused to owners about whether the Chermside decision applied to them.

I speak to business owners in Queensland. I go out and talk to them right across Queensland and they say to me that the one thing they want is certainty. What the opposition is trying to do today is to provide uncertainty. We in the government want a good business environment in Queensland that provides that certainty. The retrospectivity is justified because the Chermside decision would also have the potential to cause revenue loss to local governments. The members opposite are supposed to be the champions of local governments. Today they are voting against that revenue. The bill retrospectively defines the definition of unimproved value.

The Chermside Land Appeal Court decision has thrown into doubt the unimproved value methodology that has been used by my department since this act was passed in 1944—the Nathan approach to unimproved land valuations. Effectively, what that court did was introduce the Tooheys approach, which my department has not used and does not use. For major shopping centres my department has used the Nathan approach under which regional shopping centres are valued on the basis that a shopping centre is the highest and best use of the land and that the land can continue to be used as a shopping centre. I ask those on the other side to put their hand up if they do not believe that shopping centre will exist tomorrow. They cannot. In October 2007, the Land Appeal Court handed down a decision relating to the valuation of the Chermside shopping centre. The court also decided that the site had to be valued as if there was no certainty that the site could be used for its present use.

The making of retrospective legislation, particularly where it may disadvantage individuals, is a breach of the fundamental legislative principles under the Legislative Standards Act 1992 and should only occur where it is absolutely necessary. I have heard opposition members say that they would never do it. While the opposition has criticised the government on this issue, guess what? The member for Warrego, when he was minister for natural resources, and the current Leader of the Opposition, when he was minister for natural resources, introduced retrospective legislation into this House. If it was good for the geese in the opposition, why is it not good for this far-thinking government? In this case it is clear that the greater public interest outweighs the interests of individuals who may be affected by the retrospectivity of the bill.

The extent of the ramifications of the Land Appeal Court decision is not clear. Whilst it is clear that the decision does not extend to residential properties mainly due to the fact that there are sufficient vacant land sales to assess those valuations, it does seem clear that the decision may extend not only to major shopping centres but also to an unknown number of other commercial and industrial properties across this state. This uncertainty could well lead to a significant cost to local governments in lost rates revenue that has not been budgeted for. It is a cost which even now could not be budgeted for due to the considerable uncertainty surrounding the extent of the application of this case. In turn, this unbudgeted substantial amount has the real potential to result in rates increases for Queensland ratepayers or a reduction in services provided by local governments. That is what opposition members want. They want increased rates from local governments and decreased services. Shame on them! They should hang their heads in shame.

At a time of rising interest rates and inflation, such a further burden on Queenslanders outweighs the breach of fundamental legislative principles. This bill will provide a short-term solution to deal with the 30 large regional shopping centres by introducing a formula that has been endorsed by the Property Council of Australia and the Shopping Centre Council. This bill will introduce a formula based on the average change in unimproved value of commercial land, not including shopping centre properties, to be applied to regional shopping centres. This is in accord with the Chermside shopping centre decision, which recognised that a simpler process for arriving at the unimproved value of similar properties needs to be devised. I will repeat that: a simpler process for arriving at the unimproved value of similar highly developed properties needs to be devised. In respect of the 12 regional shopping centres—

Mr DEPUTY SPEAKER: Order! Minister, please resume your seat.

Mr WALLACE: Mr Deputy Speaker, in light of the time, I seek leave to have the rest of my speech incorporated in *Hansard*.

Mr DEPUTY SPEAKER: I have not seen the speech so I cannot give leave.

Division: Question put—That the bill be now read a second time.

AYES, 52—Attwood, Barry, Bombolas, Boyle, Choi, Croft, Darling, Fenlon, Finn, Grace, Gray, Hayward, Hinchliffe, Hoolihan, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, Palaszczuk, Pearce, Pitt, Purcell, Reeves, Reilly, Roberts, Robertson, Scott, Shine, Smith, Spence, Stone, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Jones

NOES, 26—Copeland, Cripps, Cunningham, Dempsey, Flegg, Hobbs, Hopper, Horan, Knuth, Langbroek, Lee Long, Lingard, McArdle, Malone, Menkens, Messenger, Nicholls, Pratt, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Elmes, Rickuss

Resolved in the affirmative.

Bill read a second time.

Interruption.

ORDER OF BUSINESS

Hon. JC SPENCE (Mount Gravatt—ALP) (Acting Leader of the House) (4.38 pm): I advise honourable members that the House can continue to meet past 7.30 pm this day. The House can break for dinner at 7 pm and resume its sitting at 8 pm. The order of business shall then be government business followed by a 30-minute adjournment debate.

VALUATION OF LAND AMENDMENT BILL

Resumed from p. 874.

Consideration in Detail

Clause 1, as read, agreed to.

Clause 2—

Mr HOPPER (4.39 pm): Minister, this retrospective clause backdates the valuation method to 1 July 2002. Can the minister confirm that this is being done because the court found that the method of the valuation used for Chermside in October 2002 was in effect illegal?

Mr WALLACE: I begin by tabling the explanatory notes for amendments to be moved during consideration in detail.

Tabled paper: Explanatory notes for Mr Wallace's amendments to the Valuation of Land Amendment Bill.

The Chermside Land Appeal Court threw into doubt the unimproved value methodology that has been used by my Department of Natural Resources and Water for many years. The provision must be retrospective to clarify the valuation approach that has been used since 2003. I repeat: it must be retrospective to clarify the valuation approach that has been used since 2003.

The clarification of the definition of 'unimproved value' must commence before the effect of the Chermside Land Appeal Court decision—that is, 2003—to validate other valuations. As I mentioned in my speech, whilst making the amendments retrospective is a breach of fundamental legislative principles, this must be weighed against the broader public interest. The extent of the ramifications of the Chermside Land Appeal Court decision is not clear. Whilst it will not extend to residential properties due to the fact that there are sufficient vacant land sales to assess those valuations, it may extend not only to major shopping centres but also to an unknown number of commercial, industrial and other properties. There are very wide-ranging ramifications. That explains the retrospectivity of this legislation.

This uncertainty could well lead to a significant cost for local governments in lost rates revenue that has not been budgeted for, a cost which even now could not be budgeted for due to the considerable uncertainty surrounding the extent of the application of the case. This in turn has the real potential to result in rate increases for all Queenslander ratepayers or a reduction in services for those ratepayers. This would also cause considerable uncertainty amongst businesses in Queensland which would currently have no way of knowing whether the court decision applies to them or not. The most important thing is to provide certainty to those businesses and provide certainty to local government, and that is what this bill does.

Mr HOPPER: Can the minister explain which of the two recognised valuation methods was used to value Chermside in 2002 and why this method is used?

Mr WALLACE: As I alluded to in my speech, there are two methods for valuing undeveloped land that are accepted by valuers across Australia, they being the Nathan approach and the Tooheys approach. I will give the member for Darling Downs a bit of a lesson in those two approaches. The Nathan approach was named after a court case which was decided in about 1913. That basically says that when valuing a property a valuer must assume on the day of the valuation, which in Queensland is 31 August, that those improvements on the property did not exist. However, the valuer must also assume that the day before and the day after those valuations those improvements did exist. That is the approach that we take here in Queensland and that is called the Nathan approach to valuations of unimproved land.

The other method, which is frequently cited and which the Chermside case which we are talking about today purported to reflect, is the Tooheys approach. That was after a court case in New South Wales in 1925. The Tooheys approach is that a valuer cannot assume that those improvements existed at all and would not continue to exist. For instance, a valuer, when he values the land on 31 August each year, cannot assume that those improvements would be there tomorrow. As I challenged the opposition in my reply, put your hand up if you do not think Chermside would exist tomorrow; put your hand up if you do not think Stockland in Townsville would exist tomorrow.

Mr Reeves: The *Courier-Mail* is going to cost 5c extra.

Mr WALLACE: I take the interjection of the honourable member for Mansfield. Those opposite do not understand what this bill will do. It simply clarifies what we have done in Queensland since this bill was debated in 1944 when the then leader of the Country Party, Mr Nicklin, tried to enshrine the Tooheys approach and was voted down. It clarifies that we use the Nathan approach here in Queensland.

Mr HORAN: I commend the minister. With an off-the-cuff answer like that he has obviously been briefed very well. Obviously his staff were not going to go through the embarrassment that they went through during the last bill, so very well done. Is the need to retrospectively legalise Chermside's

valuation hastened by the need to avoid costly and protracted court appearances and appeals from other shopping centres caused by the use of an illegal valuation method for several years? Why is it necessary to make this legislation retrospective? And why could the legislation not be introduced changing the valuation method and have it dated from the date of assent?

Mr WALLACE: Again the opposition spokesman has misunderstood the intent of this bill. This bill is to clarify the way that we value unimproved land in Queensland—the way that we have done it since 1944—using the Nathan approach. It clarifies the way we have done it. What illegal method are you referring to?

Mr DEPUTY SPEAKER (Mr O'Brien): The minister will refer his comments through the chair.

Mr WALLACE: The question to the opposition spokesman is: what illegal method is he referring to? Is he saying that Nathan is illegal? Is he saying that Tooheys is illegal? I want the opposition spokesman to tell me which method he thinks is illegal, because he does not know. He does not understand what is contained in this bill. We are clarifying; we are providing certainty with this bill. Obviously the opposition spokesman does not understand what is contained in this bill. We are clarifying; we are providing certainty.

When I speak to businesses out there they want certainty, they want clarification so that they can get on with the job of providing jobs for Queenslanders. Queensland today has a 33-year low in unemployment. Well done to Queensland businesses. This provides certainty for Queenslanders.

Mr Hobbs interjected.

Mr DEPUTY SPEAKER (Mr O'Brien): In accordance with the motion moved by the Leader of the House earlier, I am now going to proceed to finish the bill.

Clause 2, as read, agreed to.

Clauses 3 and 4, as read, agreed to.

Clause 5 (Amendment of s 3 (Meaning of unimproved value))—

Mr WALLACE (4.49 pm): I move the following amendments—

1 Clause 5 (Amendment of s 3 (Meaning of *unimproved value*))—

At page 5, line 19—

omit.

2 Clause 5 (Amendment of s 3 (Meaning of *unimproved value*))—

At page 5, lines 27 to 30 and page 6, lines 1 and 2—

omit.

These amendments have been made following extensive consultation with stakeholders, in particular the Property Council of Australia. Stakeholders were concerned that the improvements may be included as part of the unimproved value of the land. This was never the intention of the government or this bill. The removal of 'the making or use of an improvement to the land' clarifies that this is not the case. The removal of section (2C) from the bill removes the concerns raised by stakeholders about the risk being included in the unimproved value. There is no risk in removing the risk clause. My department values the land and not the business. The new clause 5A which inserts 'including improvements' back into the act strengthens the definition of improved value. These words were included in the 2003 intangible improvement provision. With the repeal of the intangible improvement provision the words would have been removed from the act. This amendment simply puts those words back into the act.

Amendments agreed to.

Clause 5, as amended, agreed to.

Insertion of new clause—

Mr WALLACE (4.51 pm): I move the following amendment—

3 New clause 5A

At page 6, after line 2—

insert—

'5A Amendment of s 4 (Meaning of *improved value*)

'Section 4, definition *improved value*, after 'fee simple of the land'—

insert—

', including improvements,'.'.

Amendment agreed to.

Clause 6, as read, agreed to.

Clause 7 (Amendment of s 23 (Chief executive may value stratum or volumetric lot))—

Mr WALLACE (4.51 pm): I move the following amendment—

4 Clause 7 (Amendment of s 23 (Chief executive may value stratum or volumetric lot))—

At page 6, lines 20 and 21—

omit.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8, as read, agreed to.

Clause 9 (Insertion of new s 27)—

Mr WALLACE (4.52 pm): I move the following amendment—

5 Clause 9 (Insertion of new s 27)—

At page 9, lines 18 to 20—

omit, insert—

'***local commercial land*** means commercial land situated in a local government area, other than the local government area of the Brisbane City Council, in which any prescribed land is situated.'.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10, as read, agreed to.

Clause 11 (Replacement of s 70 (Costs of appeal against valuation))—

Mr WALLACE (4.52 pm): I move the following amendment—

6 Clause 11 (Replacement of s 70 (Costs of appeal against valuation))—

At page 10, line 12, 'be'—

omit.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clause 12, as read, agreed to.

Clause 13 (Insertion of new pt 9, divs 2 and 2A)—

Mr WALLACE (4.53 pm): I move the following amendment—

7 Clause 13 (Insertion of new pt 9, divs 2 and 2A)—

At page 14, lines 1 to 3—

omit, insert—

'***local commercial land*** means commercial land situated in a local government area, other than the local government area of the Brisbane City Council, in which any prescribed land is situated.'.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 17, as read, agreed to.

Third Reading

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (4.53 pm): I move—

That the bill, as amended, be now read a third time.

Division: Question put—That the bill, as amended, be now read a third time.

AYES, 52—Attwood, Barry, Bombolas, Boyle, Choi, Croft, Darling, English, Fenlon, Finn, Grace, Gray, Hayward, Hinchliffe, Hoolihan, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, Palaszczuk, Pearce, Pitt, Purcell, Reeves, Reilly, Roberts, Robertson, Scott, Shine, Smith, Spence, Stone, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Jones

NOES, 27—Copeland, Cripps, Cunningham, Dempsey, Flegg, Foley, Hobbs, Hopper, Horan, Knuth, Langbroek, Lee Long, Lingard, McArdle, Malone, Menkens, Messenger, Nicholls, Pratt, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Rickuss, Elmes

Resolved in the affirmative.

Bill read a third time.

Long Title

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (4.59 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

GAS SUPPLY AMENDMENT BILL

Second Reading

Resumed from p. 843, on motion of Mr Wilson—

That the bill be now read a second time.

Mr SEENEY (Callide—NPA) (5.00 pm): I am pleased to rise to make a contribution to the consideration of the Gas Supply Amendment Bill 2000. Of course the opposition will be supporting the passage of this legislation this afternoon because this legislation would not have been here had it not been for our efforts over the last couple of weeks.

The Gas Supply Amendment Bill ensures that the government delivers on a promise that it made and then forgot about. That is the long and short of it. The promise to provide a rebate to Queensland pensioners who were encumbered with much higher gas costs was made by the Premier last October. Once the media conference had been held and the press release had been put out, the Premier and the minister promptly forgot all about delivering on the promise. They had got what they wanted from the issue. They had a bit of positive media coverage but they failed to deliver.

It was not until 10 days ago when I as the opposition spokesman put out a press release pointing out that this rebate had not been paid that suddenly the minister and the department sprang into action to try to rectify the situation, and I congratulate the minister for bringing this legislation into the House as promptly as he has. The fact that he has responded promptly and brought this legislation in here deserves commendation. Finally Queensland pensioners will get the rebates that they were promised last October. But that does not take away from the fact that what we have seen in this whole episode is just another example of the way that this government operates and the way that it has operated for some time now, and I have pointed it out in this House many times. The government's focus is always on the publicity. It is always on the media spin. It is always on the politics. It is not about delivering. It is not about the nuts and bolts of managing the supply of these essential services. It is all about politics. It is all about press releases. It is all about getting the six o'clock news right and then the detail is forgotten. That is what happened in this case with these gas rebates, and it has obviously happened over and over again with so many other areas of this government's responsibility.

What does the government do next when it is caught out, as it was caught out on this particular issue? It seeks to blame somebody else. In this particular example it is the gas utilities. It is the gas retailers that have been blamed. If one reads the minister's second reading speech, it is all their fault. They have procrastinated and they have done everything but refuse to do what the government said needed to happen—that is, Queensland pensioners were going to get a rebate. So it is all the gas retailers' fault when in fact the responsibility lies with the government. The responsibility lies with the minister to ensure that the promises that were made are delivered rather than seeking to blame somebody else when it is pointed out that those promises have not been delivered. It is of course so similar to the performance we have seen from the health minister over the last couple of days. When an issue has been pointed out where there is an obvious failing in his department to meet what are basic standards of service delivery and basic areas of responsibility, the health minister takes exactly the same tact—to blame somebody else, to blame in his particular case the officers of his department. The people in his department get the blame.

The responsibility should rest with the minister. It is a basic part of Westminster democracy that that is where the responsibility should rest, and so it is with the failure to pay these gas rebates which we seek to rectify today. While I have no problem with commending the minister on the speed with which he has sought to rectify this problem and brought this legislation into the House this afternoon, the responsibility for the necessity to do that—the responsibility for the mistake; the responsibility for the failure to deliver the rebates when they were promised—rests fairly and squarely with the minister, as it should. I do not think the minister does himself any good by seeking to blame the gas utility companies.

This is a rebate that the Premier promised after it was pointed out during the last half of last year that the changes in the gas industry in Queensland would present quite onerous burdens on Queenslanders, especially those who use only a small amount of gas. The minister said in response to a question I asked him this morning that the changes made to the gas industry were about ensuring that a greater proportion of the cost of delivering the gas was actually recovered. Whether or not that can be supported by evidence is really not the issue. The issue is that the changes that were made to the supply of gas did present to a significant number of Queenslanders a significant financial impost, especially those Queenslanders who had relatively low usage because they were saddled with an access charge which represented, as the member for Toowoomba South has pointed out in this parliament over the last couple of days, a significant increase in percentage terms in what they paid for access to gas supplies.

The government's response was to promise this $55 a year rebate. It is a rather small rebate but is a token—a recognition at least—that the changes that have been made to the gas industry were presenting a financial impost to some Queenslanders. But of course it has not been delivered in the way

that it should, and as I have already indicated the minister has sought to deflect that responsibility to the gas retailers. The bill before the House today will ensure that the gas retailers do deliver that promise that the government made. In the minister's second reading speech he makes the point very firmly that they will have no choice but to deliver the opportunity for that rebate for Queensland pensioners, and so it should have been from the start. There is no question that the technical aspects of the bill are what should happen. I do not think there is any question in anybody's mind that what the bill does is the right thing to do—that is, there should not be any doubt that the gas retailers have a responsibility to ensure that this rebate is available to Queensland pensioners and that they are aware of their opportunity to claim that rebate and they are given every opportunity to ensure that they can claim the rebate to mitigate that financial impost that has come about because of the changes that were made to the gas industry.

It is worth reflecting in this debate on the changes that have been made to the gas and electricity industry in Queensland, the effects that those changes have had and the degree to which the outcomes of those changes has markedly differed from what the promises were at the time. I raised that issue this morning in a question to the minister before I knew that this legislation was going to be considered this afternoon. This is one of those occasions where the words used by the Premier and others who supported the changes some time ago are now very pertinent, because the quote that I used this morning is probably the ultimate quote where the Premier said that no Queenslander would be worse off.

It is an easy guarantee to give that no Queenslander will be worse off when these sorts of changes are being introduced. It has a very deflating effect on the debate at the time. When you are debating the possible outcome of changes to the supply of essential services and how they might affect public utilities and the operation of those utilities and the effect on Queenslanders generally, it is very easy to stand up and say that no Queenslander will be worse off or give a guarantee that no Queenslander will be worse off. But as we have seen in this case, it can easily be a very empty promise. So it has been with the changes that have been made to the gas and electricity industries.

We have seen quite extraordinary rises in the price of electricity to Queensland consumers—quite extraordinary rises—that I do not believe can be justified by the reasons that the minister gave in his answer to me this morning, that it is all somehow the fault of the drought. There is no doubt—and nobody would suggest otherwise—that the supply of water and the cost of water in drought conditions would have some effect on electricity prices. But that effect does not justify the incredible price rises that Queensland electricity consumers have had to bear up until now and will face in the future.

It is worth noting that the biggest beneficiary of those electricity price rises is the government itself. Although the government likes to operate at arm's length from the supply of electricity, a massive increase in the cost of electricity eventually flows back into the government coffers by way of dividends from the generators that the government owns. So I do not think the price rise in electricity is something that the government can divorce itself from to the extent that it has.

Certainly, the increase in the price of electricity has been mirrored by a similar increase in the price of gas. I think we should all encourage the use of gas. The government and a parade of ministers tend to do that. I know the former Premier used to talk at length about gas as though it was some sort of magical solution to all of the environmental challenges that we face—that all of the problems that beset us could be solved by gas and the development of a gas-fired electricity industry. Although I think the former Premier went a long way over the top—which was not uncommon for him—I think there is certainly merit in ensuring that Queenslanders are able to use that great natural resource that is becoming more and more available in Queensland. I can remember when I was the shadow minister for mines and energy back in 1998—

Ms Nolan interjected.

Mr SEENEY: The member was not here—when I was first shadow minister. I have come full circle. That tends to happen in politics. I was shadow minister for mines and energy in 1998.

Mr Hinchliffe interjected.

Mr SEENEY: My honourable friend had a different role then, too. Back then the whole coal seam gas industry was yet to happen. As shadow minister at that time a number of advocates came to me and suggested that coal seam gas was a huge resource that Queensland should make better use of. There were equally quite a number of people in the industry who believed that it was a resource that had no long-term future and that it would peter out and not provide a long-term supply of energy. It is interesting to note that in that 10 years coal seam gas is now well and truly established in Queensland. We have a huge gas resource in the form of coal seam gas. Right throughout the Surat and Bowen basins there are now quite extensive capital investments being made to ensure that that coal seam gas becomes available to Queensland and can make a great contribution to the Queensland industry. Projects such as the liquid gas plant that is being talked about for Gladstone are massive capital investments. But those capital investments have to be based on an extremely reliable resource.

While that gas resource can provide enormous export income for Queensland and an energy source for enormous industrial growth, it can also be a great resource for every Queenslander who can access household gas. I think it is incumbent on the government to ensure that as many Queenslanders as possible are able to take advantage of that great resource and are able to use that gas in their households. I think that is something that the government needs to take an active interest in. It should be actively participating in ensuring that the infrastructure is in place and that the price signals are in place to ensure that Queenslanders can benefit from that great natural resource which, after all, belongs to all Queenslanders. We should not just see gas as something that can generate export income. It is something that we can use in an environmentally beneficial way in as many Queensland households as can possibly be achieved.

The gas rebate scheme that was announced last October will have an important role in ensuring that that can happen. It is certainly an important benefit for those Queenslanders who currently enjoy a gas connection to their house and who have suffered that price impost that was the result of the changes that were announced last July. I think the Premier made the announcement in a ministerial statement in the parliament that the gas rebate would be paid to Queensland pensioners, but I guess the minister was the person who was left with the responsibility to deliver it. As they say, the rest is history. Queensland's pensioners are still waiting for that rebate. I hope the legislation that we will support—and I congratulate the minister on bringing it to the House this afternoon—will ensure that Queensland pensioners receive those rebates sooner rather than later and that they are able to benefit from the use of that great natural resource, which is becoming ever more apparent in Queensland with every month that passes.

I was a bit curious when the Leader of the House moved the guillotine motion earlier this afternoon because in that motion he imposed a time limit on the debates for the bills. I thought the previous bill for which my colleague the shadow minister for natural resources had responsibility was one that would take a much longer time to debate in the House than this one. I think all members knew that the coalition was going to oppose that bill and all members knew that the coalition would obviously support this bill. So I am a bit curious about the break-up of the time and the extent to which the debate on the previous legislation was curtailed so that the government could debate this bill. There is no doubt that the government needed to deal with this bill this afternoon. It is not often that I support the government coming into the House in the morning and introducing legislation and then it passing through the House on the same day. This is one of those occasions when that needed to be done. But I think the curtailment of the debate on the Valuation of Land Amendment Bill was, as my colleague pointed out in quite a vigorous way, somewhat unfair. I think we could have dealt with the issue of the gas rebates in a sufficiently expeditious way to ensure that that other important legislation could have been considered more properly by this parliament.

Having said that, I am pleased to see this legislation. It is one of those occasions where action needed to be taken, and taken quickly. I commend the minister for that. The coalition will be supporting the legislation.

Mr HOBBS (Warrego—NPA) (5.19 pm): I am pleased today to speak to the Gas Supply Amendment Bill 2008. Obviously it is necessary for this bill to be passed in order to provide the $55 a year rebate to eligible seniors and concession card holders who use reticulated natural gas in their homes. When we look at this rebate and at the sale of the gas reticulation system, it becomes quite clear that the government has not really done the due diligence required to ensure there would be a benefit for the consumer. Every time we have some sort of a sell-off we find that the entity that benefits the most is the government, because it gets the money, and the one that loses the most is the consumer. I am sure we will hear quite a lot about that from my colleagues, who will be speaking on behalf of their electorates and the consumers in their area.

It is quite clear what has happened. The government has been the beneficiary. It has taken the money and run and has not been able to ensure the proper administration of the system. The minister did take some blame himself, which is good. He also strongly blamed the retailers. However, I note the $75,000 administration fee that is to be paid to the retailers. I would be interested to know whether that figure was negotiated only in recent times or earlier. If it was negotiated earlier, I wonder why the government did not get in touch with the retailers to say, 'Here is the $75,000. How do we distribute it?', or whatever the situation may be. I am sure that at some stage the minister will be able to enlighten me on that particular point. It is a two-way street insofar as this is one of those situations where both the government and the retailer have not followed through with the commitments that were given by the Premier at the time.

The gas sector in Queensland is very important, certainly in my area of Warrego where there are enormous gas reserves that go to all different parts of Australia. I guess I have a fairly reasonable knowledge of the process and the companies involved. The companies involved in my area have been model corporate citizens. They have done a very good job of providing services, looking after the communities out there and being good corporate citizens. Today we are debating this rebate. I am sure that when this legislation is passed there will be no misunderstanding about what is required and the rebate will be provided.

The shadow minister covered many areas and summed up the bill pretty well. I note that the minister's second reading speech is much longer than even the amendments themselves. It is only a small bill but it is an important one. The consumers do want this rebate. It is a commitment that needs to be delivered. I support the bill.

Ms NOLAN (Ipswich—ALP) (5.23 pm): I rise to speak about this bill in its global policy context because I think this bill, whilst small, is tremendously important. As members increasingly understand, we live in a critical time in history. Our economies have been growing and life in the Western world has been becoming more comfortable on the back of natural resource usage. Right now we are coming to a point of change and there are two trends driving that change.

The first is climate change. We are coming now to understand that our use of particularly coal but also other hydrocarbons is damaging our environment and changing our climate in a way that can be enormously detrimental to us. The second big thing that is happening right now—and I say 'right now' given that the price of oil has reached an all-time high of $US110 a barrel today—is peak oil. Peak oil means that world oil supplies, which have been increasing gradually every year since oil was first discovered in 1859, will very soon peak and begin to decline. The Queensland government's Oil Vulnerability Task Force report, which is publicly available and which was finished last year, projected on the basis of international evidence that that peak would happen in 2013 plus or minus seven. That is seriously some time right about now. It argued that when the peak occurred demand for oil would obviously continue to increase because demand for oil is inelastic in the short term, but as supply peaked and declined the price of oil would massively escalate. Indeed, it is fair to say that that is pretty much where we are. I think it was in 1999 that oil was $US11 a barrel. Today it is $US110.

There are two big things: climate change and peak oil. Together they mean that our economy, driven by natural resource usage, is about to fundamentally change. That change is happening in the Queensland regulatory environment, which I guess we could say is tremendously interesting in that there are two big market distortions in Queensland. In saying there are distortions, I am not arguing that they are necessarily a bad thing. The first big market distortion is the uniform tariff for electricity, which means that many people—indeed, all those in regional Queensland—pay a below-market rate for their power.

Mr Seeney: For the delivery of the power, not the power itself.

Ms NOLAN: I take the interjection and I understand the member's point. However, I do not think we can separate the two. I am not arguing against the uniform tariff, but we cannot separate the two.

Mr Seeney: It does not increase the amount of electricity that is consumed.

Ms NOLAN: I take that interjection because we cannot possibly argue that paying a below-market rate does not have an impact on demand. Price impacts on how much people use. Paying a below-market rate therefore impacts on how much people use in a similar way. We can argue the pros and cons of that, but we cannot argue the economics.

The second big market distortion has been that in Queensland the regulatory environment has meant that on many occasions gas has been consumed at a below-market rate. The legislation to deregulate gas last year changed the second of those market distortions by moving gas on to a market regime. The government has had to deregulate gas again for a couple of reasons. The first reason is that if we cannot sell it at a market rate we will not be able to increase exploration. As we face peak oil we need there to be an incentive for exploration in Queensland. I think the member for Warrego touched on that need because a lot of the exploration is in his part of the world.

The second thing is that we all broadly agree that competition in the market creates a general downward pressure on price and, again, we need for that to happen. That brings me to this point. Peak oil will lead to a rise in oil prices and a rise in energy prices generally. Climate change will lead to a carbon-trading regime and therefore an increase in energy prices generally. Those things are unavoidable, natural market trends that are happening right now.

What the government needs to do is create mechanisms in the market to protect those who are most vulnerable from the effects of those price increases. In introducing a subsidy on gas for pensioners, that is exactly what this government is proving itself willing to do. I very sincerely commend the minister for taking this step, because what we will see in future is that energy prices will go up and that will create a real pressure. They will go up not because of government action; they will go up because of climate change and peak oil. And without action from the government, that will create hardship for people like my pensioner constituents. That is what we are dealing with today.

This bill is a harbinger of what I think will be a much more common change because those trends—peak oil and climate change—will lead to other impacts in the market. We have already seen a drought which we believe to be caused by climate change leading to a significant increase in food prices over the last year or so. It is likely that, as climate change continues, food prices in the longer term will go up. Secondly, as I said, climate change will lead to reform of carbon pricing which quite likely will lead to energy prices going up. That is broadly accepted. It is not desirable, but it is broadly accepted. Peak oil will push up the price of petrol and the shift to ethanol will push up the price of grain. Further, oil is the

most endogenous product in our economy. So the price of oil going up will push up the price of everything else, which in turn is inflationary and will lead to further interest rate rises—and, indeed, we are seeing that right now.

What I worry about is that this is all happening at a time when Australian household debt has doubled over the last decade. What I worry about is that many of my constituents have a high level of debt and a low level of income at a time when many of the most basic things—that is, food, petrol for the car, interest rates on your mortgage and the price of power—are, through quite natural market trends things that are not within control of government, going up. I genuinely worry about how that will impact on indebted people who live in the outer suburbs of Ipswich and in the country and in many parts of Queensland in the years to come. I think that is the biggest challenge that individuals face, and dealing with it will be the defining challenge of politics in the decades ahead.

What this bill is showing is that as we reach the thin end of that wedge this government is willing to compensate the most vulnerable as they are negatively affected. There are other things that individuals should be doing. I have been talking in this place about household debt, as members know, for a long time. I would strongly urge people at this time not to be getting into debt that is in any way avoidable. You should only be carrying the debt that you seriously have to, because there will be price increases on the essentials of life for reasons which are not within control of government in the years ahead. I commend the minister for showing compassion in this regard. I commend the minister for understanding the need to move to a market pricing regime so we get things like gas exploration but also for showing a willingness to ameliorate the effects on the most vulnerable people in our community. That is the right thing to do. It is something we will simply have to see much more of in the decade or so ahead. I commend this bill to the House.

Hon. KW HAYWARD (Kallangur—ALP) (5.33 pm): I rise to speak to the Gas Supply Amendment Bill. As the explanatory notes set out, the bill provides for a requirement to be placed on retailers of reticulated natural gas to deliver community service initiatives under an agreement between the retailer and the state or, in the absence of such agreement, as decided by the minister. What this amendment bill will do is insert a new section into the Gas Supply Act 2003 which places a legal obligation on natural gas retailers to provide the new gas pensioner rebate to eligible customers. As earlier speakers have said, and the member for Ipswich made it very clear, this legislation is important. It is important because it will make it mandatory for major gas retailers to provide a $55 a year rebate to eligible pensioners who use reticulated natural gas.

As the member for Ipswich said, Queenslanders are facing increasing pressures as the cost of essentials rise. Petrol is an obvious one. Interest rates are going up. Food prices, of course, are going up. So we know that people are experiencing difficulties. This rebate provides some help and support for those eligible people who use reticulated natural gas. The state government is already helping to ease the strain with subsidies worth hundreds of millions of dollars. This year the state government will pay Ergon Energy around $470 million to subsidise electricity for their customers in regional Queensland. So, instead of the average householders paying around $1,100 a year for their electricity, their bill would have been $1,838. So their bill would have been $738 more. The government and all members of parliament want people to have access to affordable electricity no matter where they live. In answering that, the minister and the government have set up a $3 million assistance scheme for electricity customers in financial hardships. The government has increased the pensioners and seniors rebate to match the increase in the electricity price cap.

The $55 a year gas rebate scheme is, as I have said before, for eligible pensioners. This legislation will ensure that the rebate will be given to pensioners and it will be backdated to 1 July last year. I commend the Minister for Mines and Energy for his actions in directing the Queensland Competition Authority to review the extent of competition in the residential gas industry. I think that is an important initiative he has undertaken. I think, as I am sure all members of parliament do, that gas prices should only reflect the true cost of supply. I commend this bill to the House.

Mrs CUNNINGHAM (Gladstone—Ind) (5.37 pm): I rise to support the Gas Supply Amendment Bill 2008, but I do have to again put on the record my disappointment that the debate was guillotined. Issues that we debate in this chamber, whether we agree with them or not, are issues that in the main affect our constituents, and there needs to be a full and free opportunity to put on the record the concerns of constituents as they have relayed their concerns to us as their representatives.

The Gas Supply Amendment Bill will provide, as has been said by previous speakers, a $55 per annum rebate for eligible natural gas customers, and they include pensioners—certainly pensioners are a very low-income group in the community, and old age pensioners especially have been instrumental in creating the environment that we now enjoy—Seniors Card holders and certain other benefit recipients, in recognition of increases in reticulated natural gas prices following the deregulation of natural gas prices on 1 July 2007. Other speakers have reminded this parliament that in the debate on deregulation we were reminded that nobody would be worse off, and that has not been the truth of the matter.

In the Gladstone electorate, there are a couple of natural gas projects in the pipeline—one is certainly further progressed than the other. They will be beneficial to our economy not only in terms of availability but also in terms of export dollars as well. I commend the proponents of those two schemes.

The other group of people who need to be considered when dealing with the Gas Supply Amendment Bill and the influence on household economies of the price of commodities such as gas and electricity are those people who will be affected by a different piece of legislation or regulation—that is, the proposal to phase out electric hot water systems from 2010. I am not going to debate the rightness or wrongness of that here. The choice that those households will have from 2010 will be gas or solar. They are the two main generators of hot water.

I have to put on the record the problem found by a constituent in my electorate. He had a housing commission home with an electric hot water system, but there was a rollout where the hot water systems in housing commission homes were changed from electric to gas. He has a couple of children and he came in and complained to my office that once the electric hot water system was replaced with a gas water system his gas costs were astronomical. There is a really logical reason for this. It is easy to stand here and say, 'They have to be disciplined,' but the fact is that if you have an electric hot water system and you use a big whack of hot water, only cold water will come through the tap so you then know, 'I've got to have a cold shower now or I'll have to wait for it to warm up. We must be using a lot of hot water.' With a gas hot water system, it just keeps delivering hot water. You can stand under the shower all day and it will always be a hot shower. This constituent then had an astronomical gas bill because they had not factored in that difference in the delivery.

People need to be reminded—but not in a condescending way—that there is a different delivery system with gas and there is an attached cost if you do not bear in mind that the availability of hot water is not the same with gas as electric. That is, you can run out of hot water if it is heated with electricity but that does not happen with gas. So from 2010 those electric hot water systems will be gradually phased out with gas or solar coming in.

Another group of people will be affected by changes to gas, and I want to put this on the record because these people will not always be eligible for the rebate. They are people who have fixed incomes and they are usually suffering very trying economic circumstances. There have been a couple of instances in my electorate where people have been struggling with their electric power bills and then they move into a house where they have two bill streams—an electric bill and a gas bill. For a couple of single mums, this has meant there has been a very difficult added cost stream for them to manage.

So the rebate scheme is welcome. It is not a high rebate—it is $55 a year—but it is certainly welcome for those people with difficulties. I ask the minister to continue to review the eligibility categories because, as previous speakers have said, the cost of living will increase in our community and many families will find it difficult to prune back their spending. These energy costs will be ones where there may need to be some bracket creep to allow more people to be eligible for the rebate as the squeeze on income and affordability continues. Again, I commend the minister for introducing this bill. I am disappointed in the guillotine but I certainly believe that the bill needs to be debated and passed in a timely manner. I support the legislation.

Mr HORAN (Toowoomba South—NPA) (5.44 pm): We support the Gas Supply Amendment Bill, but this bill has been brought in with urgency and has had the guillotine applied to it because the cruel neglect of the Labor government was exposed by our shadow minister about 10 days ago. This rebate was announced in October last year when there was all that concern expressed by people like the shadow minister, the member for Charters Towers, who spoke about the people up north. I know I spoke about this in the parliament last year in November, from memory. I spoke again about it last night in the adjournment debate. This rebate was announced by the minister in October last year and it was to be paid going back to 1 July—so the billing period from 31 March 2007 to 30 June, and it was to apply from then on.

Quite simply, the minister and the government were asleep at the wheel—just like the health minister was asleep at the wheel about doctored reports. It is typical of the malaise that has overtaken this government because it has been in for too long. How could something like this be forgotten and just be neglected? For a start, there was the $75,000 administration fee that the government had to pay to the companies to administer this particular rebate. Someone in the department must have been wondering where the $75,000 was, whether it had been paid out yet or what had happened to it. Isn't anybody checking on these things to see that what the government actually says will happen does happen in less than six months? If our shadow minister had not raised the matter and put out a press release, this could still be going on and on and it would still not be paid to the pensioners.

The other thing is that these gas companies were aware of the rebate. I received a letter from AGL when I made representations on behalf of my constituents who were suffering so heavily from this 350 per cent increase in their gas prices. One of the things that AGL said was, 'There's a $55 pensioner rebate.' They all knew about it so why didn't this thing happen? It was money to go to those people who were pensioners, self-funded retirees and on concession cards. This money is absolutely important to them, particularly when we see the extent of the price increases they have had to endure.

These people have been shocked by the increases. It was not just the increase itself; it was how that gas price had been reworked. Approximately 80 per cent of the gas price and the majority of the increase was their access fee. So even the pensioners who turned the gas off in the summer to try to cut back on their gas costs found that their bill was still at least 80 per cent of what it would have been in the winter time when they needed the gas for heating and warm showers.

This has been a very cruel thing to happen to these people. That cruelty has been compounded by the absolute neglect of the government to act immediately on the $55 rebate that it announced in October last year which was to apply and be paid retrospectively from 1 July. The government has let it go until its members were woken up from their slumber by our shadow minister.

This has also come on top of the electricity increases. There was an 11.8 per cent increase about midway through last year which shocked everybody. Now there is a proposed seven per cent increase. So we will end up with in the order of an 18½ to 19 per cent increase in the cost of electricity within the space of 12 months. People on fixed incomes, like pensioners and self-funded retirees, cannot afford these increases. At the same time, the cost of food is going up, the cost of fuel is going up and the state government has increased the stamp duty for buying a car. If we buy a second-hand car for $16,000, we have to find another $200 to buy that car because this government is broke and is trying to find money for its $55 billion debt and its $10 million a day interest repayment.

Perhaps the cruelest thing of all has been the comment by the Premier when this was brought in that no Queenslander was worse off. That is somewhat like the promise by Bob Hawke that no child in Australia would live in poverty. What a cruel promise that was when, from some of the very things that have been said by members opposite about how this came in, they knew that deregulation was going to cost people more. How cruel has it been to people in Toowoomba especially where there is no competition? AGL wrote back to me saying that there was competition, that there were another two gas companies. In fact, what they said was that if I check the Queensland Competition Authority web site—and they gave me the web site—that both Origin and Australian Power and Gas offer gas supply contracts to small customers in Toowoomba. My electorate staff checked up on that and the only supplier is AGL. It is a monopoly. In the big brave world of competition the poor people in a place like Toowoomba are stuck with a monopoly and no competition.

This gas company that has the monopoly also said to a number of people who complained about the price that if they would like to get their electricity from them as well, in this deregulated world, there is a discount for getting the two of them. But lo and behold, they do not have an electricity agency in Toowoomba. So they have a monopoly on the gas and no access for the people of Toowoomba to the discount that is available if a person gets their gas and electricity from the one company.

On the subject of the cruelty to pensioners and what this government is doing to them, it has come to my notice that Ergon Energy is going to reduce the pensioner discount on electricity. Some people might say it is only going to amount to $5.16 per annum, but by moving from a monthly basis to a daily basis for the calculation it is going to take about $5.16 off pensioners. It might not seem much to people on the other side, but when pensioners are absolutely scratching to make ends meet and get some sustenance on the table, $5.16 per annum can make a big difference.

My colleague, the member for Hinchinbrook, has written to the minister about this matter in relation to one particular pensioner who gets a $34.91 a quarter discount. She will be disadvantaged $1.29 per quarter or $5.16 per annum by this new calculation method being brought in by Ergon Energy, probably to meet the demands of the government for the dividends that the government requires from its government owned corporation or to meet the ever-increasing costs of interest and repayments that are part of this $55 billion of debt that covers both the government and the government owned corporation.

I would like the minister in his summing-up to explain to us just how many people will get this dividend. It says in the explanatory notes that it is Seniors Card holders and concession card holders. There are a lot of people who are hurting as a result of this. I spoke to a good citizen last weekend who was the president of a bowls club and a self-funded retiree. He was the one who told me about turning off the gas over summer to try to make some savings because of the extent of the bill and, of course, it only made a 20 per cent difference because the cost has been bulked up by this huge increase in the access price. With other things that are happening, such as higher interest rates and the share market dropping back, he is one of the many people who are concerned. If that discount reduction by Ergon is multiplied by the thousands of pensioners who would be eligible for that, it will certainly provide a lot of money to Ergon and a lot more capacity for them to meet government demands for dividends.

Previous speakers have spoken about the equalisation of electricity. That has always been a fundamental of Queensland because of the massive decentralisation of our state and because of the wealth creation in some of the remote parts of the state, be it tourism, agriculture or mining. That is part of Queensland that governments of all colours and persuasions have always abided by. It is sacrosanct. The government pays a massive subsidy on the metropolitan rail. Rural, regional and remote people do not complain about that because they know that if that subsidy was not there many people in the city, workers and so forth, would not be able to afford the train fares to get to work. That has been part of the role of the government. It is not as though the people in rural and regional Queensland are getting something that no-one else gets.

If a person lives in the south-east corner in the capital city there are these worthwhile subsidies to allow people to get to work at a reasonable price on the train system. It is part of the mateship of Queensland that we do look after people of rural, remote and regional Queensland with equalised electricity prices. There is a subsidy for the people who live in the city who have to catch public transport because of the congestion and the number of people so that the prices are reasonable. I spoke about this last night. I have covered all the points. I have to leave some time for other people to have a say because of the guillotine. I am surprised at this minister; that this would have slipped by. I have great concerns that the government has been in for too long. These things are becoming all too often a fact of life—every week when we come into the parliament. We will be supporting the legislation because it is about the only way that pensioners and people in low-income brackets can get some form of money back so that they can try to afford this massive rise on top of the massive rises that have come from the electricity. Let nobody in this House forget that there are people in Toowoomba paying 350 per cent more for their gas bill today than they were pre 1 July last year. How hollow was the promise by Mr Beattie that nobody would be worse off?

Mr DEMPSEY (Bundaberg—NPA) (5.57 pm): I rise to support the Gas Supply Amendment Bill 2008 before us this evening. I note that in the consultation phase the government announced the gas pensioner rebate for 2007 and has had extensive discussions with gas retailers on the form of the community service to be provided. The retailers have failed to implement the rebate scheme as agreed to in a timely fashion. The government now wishes to legislate to ensure that the rebate is provided to eligible customers. That is great news. However, it must also be remembered that this state government put the people of Queensland in this predicament in the first place through poor planning and that it was a negative media conference that caused it to react when it has had months to correct this situation.

Families in this state need to know that they can have confidence in their government and they expect long-term planning. Government owned agencies have had the majority of their profits taken by this state government and yet they still have great expectations for future growth and future demands. Queensland pensioners also deserve every benefit that they can receive. They need to be treated with respect and not be taken for granted. Incentives must also be given to increase the number of people using gas throughout our state. Any incentive that we can give in our present climate is very much welcomed. Gas is in plentiful supply in Queensland and is a natural asset for future Queenslanders. It is disappointing that this government has sold off much of its gas infrastructure for a short-term money gain.

While the minister is here, I pay tribute to the hardworking staff of Ergon Bundaberg for their dedication and their loyalty to the community. These staff members go far beyond what is normally expected of a regular employee to provide services to the community. They do a lot of work in their own time. They are very dedicated and loyal. Any time I have had any consultation with them they always have a quick reply and do great work for the community of Bundaberg. Placing a legal obligation on gas retailers to provide a rebate is very welcomed. I support the bill before the House.

Mrs MILLER (Bundamba—ALP) (5.59 pm): I rise to support the Gas Supply Amendment Bill 2008. I am very pleased that the opposition will be supporting this bill. The bill is about looking after the people who most need financial help in our community and they are the age pensioners but, in particular, single age pensioners. We need these laws so that the gas retailers will be bound by the law to provide a gas rebate to pensioners. No eligible customer should miss out just because the retailers were tardy in implementing their billing arrangements. I will make comment in relation to their tardiness in this regard. One wonders whether they would be tardy if they were actually raising the rate so that they could rake in more money. They are certainly tardy in giving the money back.

The legislation will make it mandatory for major gas retailers to provide a $55 a year rebate to pensioners. That $55 will go a long way, particularly for age pensioners in my community and especially the single age pensioners in my community who are finding it extremely hard to make ends meet.

Last night I was able to host a barbecue for residents of the Palm Lake Resort, which is an aged people's resort in my community.

Mr Finn: Did they have a gas barbecue?

Mrs MILLER: They did have a gas barbecue, actually, and it was very nice. What they spoke to me about mostly was the cost of the gas supply. They were concerned about it. They said that they wanted something done about it. I told them that our government had that in mind. That is why I am so pleased that this legislation has been brought in today.

Last night when I was talking to the residents of Palm Lake Resort they told me that $55 is equivalent to about 20 loaves of bread, about 25 two-litre bottles of milk and about 18 small tubs of butter. Whilst a lot of people might think it is not a lot, it does add up, particularly for those in my area. I would like to thank the residents of Palm Lake Resort for telling me that, because it is very important that we place on the record what this actually means to them.

When it comes to single age pensioners it means a lot more. I know that some single age pensioners in my community are not eating. I certainly know that some of our single age pensioners are finding it so hard that when they boil water on their gas stoves they put the water in flasks so that they will not have to use the gas every time they want to make themselves a cup of tea or coffee. It is pretty ordinary to be living life like that.

The legislation will stipulate that all bills going out from the end of March must invite eligible pensioners to register for the rebate. Once the customer has registered as eligible the rebate must be paid on the very next bill. By the end of June, every bill going out must provide the rebate to eligible pensioners. It is very important to note that, regardless of when they receive notification of their rebate, the rebate, thank God, will be backdated to 1 July 2007.

This legislation is important especially after the gas retailers, Origin and AGL, admitted the gas rebate was not being passed on to pensioners because of technical problems. One wonders what those technical problems were. The Gas Supply Amendment Bill 2008 inserts a new section into the Gas Supply Act 2003 which places a legal obligation on gas retailers to provide the rebate.

In conclusion, anything that we can do to help our age pensioners and our independent retirees—but particularly our single age pensioners who struggle day to day—is very important. It shows the social justice initiatives of this government that we are looking after single age pensioners in our community. I commend the bill to the House.

Mr MOORHEAD (Waterford—ALP) (6.05 pm): I rise to support the Gas Supply Amendment Bill. I listened to the member for Bundamba's speech. She covered many of the technical aspects of the bill that I wished to address. Late last year the state government announced a $55 a year rebate to help pensioners and Seniors Card holders meet the cost of gas supply to their homes. This means that around 50,000 pensioners stand to benefit from this rebate. The commitment was made in October but the agreement from the energy companies to pass on this rebate has not been delivered. I congratulate the minister on this decisive action to bring the matter to a head as quickly as possible.

What this bill means is that by the end of March gas retailers will be required to notify customers of their ability to register for the $55 rebate. Following registration, those eligible to receive the rebate will be paid it in their next bill. By the end of June, all customers who are eligible to receive this rebate will be receiving it. As the member for Bundamba said, this rebate will be backdated to 1 July 2007.

Historically, the reticulated natural gas prices paid by customers have been set at an artificially low level. Basically, industrial customers have picked up the tab by paying much higher prices for higher volumes of gas. I can see this in my electorate. The major gas consumers are the Logan Hospital and the linen service in Meadowbrook. They have traditionally been subsidising many of the residential gas customers. That has meant that the spread of the reticulated gas network has been limited.

Since 2005 we have seen a gradual increase in reticulated natural gas supplies to align them better with the true cost of supply and to ease the price transition over time. From 1 July last year the reticulated natural gas price has been deregulated with the independent regulator, the Queensland Competition Authority, setting the prices for the gas distribution network which retailers then pass on to their customers.

In the past, a regulatory cap on the gas price had limited investment in the reticulated natural gas network. This has meant that the owners of the gas network have had a limited incentive to expand the natural gas network to consumers. As I said, in my electorate the big consumers are the linen service and the hospital. Essentially the gas pipeline in my electorate runs from the high-pressure pipeline that runs to the south and west of Logan through to the hospital. Those people who actual have access to natural gas are those people who live very close to the branch that runs from the high-pressure pipeline through to the hospital. There really is a limited incentive on the pipeline owners—who I understand to be the Australian Pipeline Trust—to deliver gas to customers who live away from that pipeline when they are not receiving a commercial return.

Deregulation means that, with an expanded natural gas network, we can reduce the up-front cost of installation of natural gas which has been the major barrier to the use of natural gas. Obviously, there are benefits from using natural gas in terms of greenhouse gas emissions. It also results in the reduction in energy prices. The installation of natural gas has traditionally meant that in order to take advantage of the cost savings between gas and electricity, particularly for hot water, people have had to be able to make an initial investment up-front. If the expansion of the reticulated natural gas network is something the pipeline owners are prepared to continue to push, those long-term savings that come from using natural gas can be provided to all.

We must also note that there is a rebate for customers who wish to move to gas hot water. However, in a deregulated environment it is also important that we ensure customers are getting a fair go. Customers with concerns about their treatment in the gas market can go straight to the Energy Ombudsman. It is a free service available to all Queenslanders. It was set up by the state government to address just these issues, and for the record it can be contacted on 1300662837. This legislation will ensure that the $55 rebate will make its way into the pockets of customers as soon as possible. This is

an important measure to help pensioners who are already fighting price rises in energy—electricity or gas—food, petrol and rent. This will mean some welcome relief for pensioners, and I commend the bill to the House.

Mr FINN (Yeerongpilly—ALP) (6.10 pm): Tonight I rise to make a brief contribution in support of this bill, and my contribution only needs to be brief given the coverage of the issues from other members and the fact that the bill we are debating contains four clauses. I note that there might have been some concern about the rapid passage of this legislation. However, I think that I have managed to get across the four clauses reasonably well and feel confident that I can comment on it tonight. The effect of this legislation is to ensure that the government's announced pensioner and concession card holders' rebate gets through to the people for whom that rebate is intended. It is legislation to ensure that that rebate is passed through the suppliers—something that is nothing new in the energy industry and a measure that we have implemented through electricity suppliers previously, and that is what this bill is about.

I note comments that have come across the chamber about the need to bring in this legislation, and I refer those members to the consultation section of the explanatory notes which establishes that since announcing the rebate the government has engaged in extensive discussions with gas retailers about community service obligations. As a result of those discussions, we have not been able to get gas suppliers to implement these community service obligations in a timely fashion, and that is why we have brought the legislation into the House today. This is consumer advocacy through regulation. What this legislation does is say, 'If you aren't going to implement your community service obligations in a timely fashion, then we will come into the House and make sure that that rebate gets through.'

We need to be frank about some of the impacts of deregulation of the industry, and many members who have contributed to this debate have spoken about the fact that they have had constituents come to them to talk about the impact on them of rising gas prices. People have come to my electorate office to raise this issue with me also. Those people refer in particular to the increase in fixed service and supply charges. In terms of the real cost pricing of gas, there has been an increase in fixed supply charges that has tended to hurt the small-time user. One particular example in my electorate has been a person who regularly had a gas retail supply charge of about $4.50 who is now getting bills with a service and supply charge of almost $70. That person has been to see me to talk about the increase in those charges. What is needed when an industry brings in these kinds of charges is advocacy from government to ensure that consumers are well protected.

Another concern that is not directly relevant to what this bill delivers tonight relates to difficulties that consumers have raised with me with regard to finding information about how to connect to gas and difficulties in dealing with gas companies, and into the future we need to talk about ways we can best assist consumers with accessing those services. I have spoken with the minister's adviser about a constituent in my electorate called Ang who is having difficulty with her electric hot-water system at the moment and who has to regularly engage in cold showers. The minister's adviser has given me good advice about how Ang might get her hot water fixed.

Mrs Sullivan: Come over to your place!

Mr FINN: I take that interjection from the member for Pumicestone, who suggests that she comes around to my place and has her shower. But I think there needs to be a more innovative arrangement than that.

This legislation is about consumer advocacy. It is about us coming in here to ensure that the rebate flows through to those for whom it is intended. Deregulation has been about trying to ensure true cost pricing of gas, but it has also been about ensuring that there is adequate infrastructure investment. The consumer advocacy aspect is why this minister has taken gas pricing to Queensland's competition authority. It is why we have brought the bill into the House tonight to ensure that it flows through as quickly as possible. I thank the minister for taking up this aspect of the fight on behalf of residential consumers to gas suppliers, and I commend the bill to the House.

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (6.16 pm), in reply: I want to put on record my appreciation to all of those members who have spoken in the debate this evening and to recognise and acknowledge the support that the opposition is giving to this bill. I underline that the Bligh government will continue to act to help pensioners to ease the burden of energy prices, and in this particular case gas prices. I want to quickly address some of the issues that have been raised by the shadow spokesman for mines and energy.

Firstly, he made the allegation that we forgot all about it after the 16 October announcement last year. That is factually wrong and it is certainly not the case. It happened according to the following timetable. The announcement was made on 16 October. On approximately 23 October the first meeting took place between AGL, Origin, DME and other retailers to discuss the implementation. It was always understood that there were two phases to the implementation—that the retailers would implement it administratively in advance and in anticipation of the inevitable legislative changes that would create a compulsion in law to adopt the scheme, just as happens with the Electricity Rebate Scheme.

There was another meeting on 30 November and there were one-to-one discussions between the retailers and DME. In January the formulation of the legislation needed, along with six or seven other elements of legislation, commenced for government consideration. It became apparent about three to four weeks ago in further discussions with the retailers that they had been delayed for a range of reasons that they put to us and it became clear that the omnibus legislation was not going to bring it in in a timely way, so this provision was extracted from the omnibus legislation to be brought in today. That is the sequence of events.

I turn now to the allegation that keeps being repeated that the guarantee was given by government previously that no-one would be worse off under full retail competition in the electricity industry. That is a furphy. It keeps being raised that that is the claim. What was said at the time when the legislation for full retail competition for electricity was introduced was that no-one would be worse off in relation to the uniform tariff that operates throughout Queensland. Indeed, no-one is worse off because of the uniform tariff.

However, in the real world over time the uniform tariff itself has had to be adjusted by the Queensland Competition Authority on an annual basis to reflect the underlying price increases that are taking place with electricity owing to a full range of events, particularly the drought, which we have discussed in this chamber before. So any householder who wishes to stay on the uniform tariff can do so. They are protected from any price rises for electricity beyond that uniform price cap. In that respect they are no worse off under full retail competition. Indeed, many people are better off on the uniform tariff. Certainly, in the south-east corner people are able to pick up five per cent to 10 per cent discounts on the uniform tariff price for electricity by shopping around between electricity retailers.

Another point that was raised was that the administration fee of $75,000 is being paid to the retailers and yet they have not delivered on the gas rebate scheme. No money has been paid by way of administration fee to the retailers because they have yet to sign the legal document that will be activated by this bill when it is passed. That then provides for the retailers to undertake the rebate scheme and to then get paid the $1.50 per person when the process is undertaken to put a person onto the scheme.

I will refer back to the reality that was the case in late October. Everyone understood that there were two phases to the administration of the implementation of the gas rebate scheme and the later introduction of the legislation to create the compulsion to administer it. I make the point, particularly to the shadow spokesperson, that even if on 17 October everyone said, 'Yes, we will implement the scheme as of today,' the billing cycle of three months would mean that it would have taken at least three months to elicit from all of those customers the names of the 50,000 pensioners who were eligible to receive the rebate. That would then have to be validated and then it would be the next quarter in which people would receive their bills. So even if all things were perfect, the rebate scheme could not have been implemented immediately on the day. There was always going to be a transition period.

The other point I want to emphasise is in relation to the gas price rises that have taken place since 1 July. Even before 1 July there was a gradual increase in the regulated price for gas because it was artificially low when measured against the true cost of supply. No-one in commerce today makes a living out of selling something for less than it costs to supply on an indefinite basis. No-one in commerce today can go to a bank and obtain funding to invest in expanding their capital infrastructure on the basis of selling a product for less than it costs to supply. So if as a matter of sound public policy we are going to expand the residential gas industry in Queensland, we have to create an economic incentive to invest in the expansion of that distribution system and also the retail of gas. We cannot create an incentive to invest if we insist that the retailers continue to sell at less than the cost of supply. This is the best way that we can introduce competition into the gas market and also expand the distribution network so that gas is available to more and more residential householders.

I will conclude by underlining the point that this gas rebate scheme for pensioners is but one element of a package of policies that have been introduced in the past 12 months or so by the Bligh government. So that no-one is under any misapprehension about the range of initiatives that have been implemented—each to complement the other—in our endeavour to assist in easing the burden on householders particularly of the increasing energy prices that are taking place, we indexed the increase in the price of electricity that took place on 1 July last year. So although the uniform tariff increased by 11 per cent, we proportionately increased the electricity rebate for pensioners who are receiving that rebate. But the big measure that we have continued to remain committed to and which we never get any credit for from the opposition is the estimated $470 million that will be paid by the Queensland taxpayer by way of subsidy to all regional householders in Queensland. If we take the average bill of $1,100 a year, under that subsidy the average regional householder in Queensland is saving $738 on their electricity bills from Ergon. That is $470 million—half a billion dollars off a state budget of about $28 billion or $29 billion. That is a lot of money. We are committed to that measure, and it would be nice to see the opposition recognise that commitment.

In addition to the gas rebate scheme, we introduced a $3 million home energy emergency fund for electricity and we expanded that scheme to include gas. Householders who are at risk of their electricity or their gas being turned off because they are experiencing hardship and who get relief

through St Vincent de Paul and other charitable organisations can get up to $360 every two years. We set up an Energy Ombudsman to be an advocate for energy customers. We have also just lodged our submission to the Queensland Competition Authority arguing the case for the customer in Queensland to keep down electricity prices. We have also taken action to direct the Queensland Competition Authority to review the level of competition within the residential gas market in Queensland, again because we want to make sure that bottled LPG and reticulated natural gas prices are competitive throughout Queensland.

We have also established under the Electricity Act and the Gas Supply Act the marketing code for both electricity and gas that constrains the way in which retailers can behave in the marketplace. I have also set up an energy consumers reference group, comprising representation by QCOSS, St Vincent de Paul, Lifeline and other charitable organisations. We meet regularly and we take feedback on what is really happening to one of the most vulnerable sectors of our community which we are committed to supporting and assisting in the face of growing pressure on energy prices. I commend the bill to the House.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr SEENEY (6.28 pm): Basically, there is only one clause that gives the legislation its effect. So it is only in the consideration of that clause that we have a chance to go through some of the detail of how this bill will apply. I deliberately did not refer to that in my contribution to the second reading debate because I thought the right and proper thing was to consider that detail in this part of the debate. In so doing, I think it is worth reflecting on some of the comments that have been made in the debate and the ability of some of the members of the government to put a positive spin on just about anything.

In my contribution to the second reading debate I conceded—and I do so again—that this anomaly needed to be fixed. The fact that it needed to be fixed is the reason the legislation was introduced into the House and is passing through the House in one day. It is not often that I would support legislation being treated in that way, but I do so on this occasion because we obviously had an issue that had developed that needed to be rectified. It disappoints me that the government has tried to put a spin on that to somehow suggest that this was its intent all along. Anyone who looks at the situation would see quite clearly that that is not the case. Clause 4 compels retailers to offer the rebate. It states—

(1) A retailer must not provide customer retail services unless—

(a) the retailer—

(i) enters into an agreement with the State to provide, for at least 5 years, the community services agreed between the State and the retailer; and

(ii) complies with the agreement ...

In layman's terms the legislation prevents retailers from providing retail services unless they provide the opportunity for the government's promise to be honoured. If that was the government's original intent, the obvious question is: why was this legislation not here in the House in October, or shortly afterwards at least? If this was what the government intended to do all along, as the minister himself implied and a number of other members reinforced, why was this legislation not here in the House back in October? It seems an obvious question and one that becomes glaringly obvious following the contributions that have been made.

The other issue that I wanted to pick up with this opportunity is the issue that was raised by the member for Ipswich when she spoke about the market distortions. I would not like to think that this whole concept of market distortions comes to influence the government's thinking in the way that perhaps was outlined by the member for Ipswich. She somehow was making the case that the uniform tariff for electricity was a market distortion, yet the rebate that is the subject of this legislation was not a market distortion. In pure economic terms they are both market distortions but they are both market interferences that are socially necessary, socially desirable and things that the government should be doing. The contribution that was made by the member for Ipswich illustrated to me a philosophy that I find concerning. She seemed to make the case that one interference in the market that provides a benefit to her constituents is desirable and justifiable but another interference in the market that provides a benefit or a protection to other Queenslanders who quite obviously are not in her electorate is somehow a market distortion that we need to be concerned about. Governments have an obligation to address the needs of all of the people whom they govern but especially those who are in a position to be unduly adversely affected by the decisions that governments make.

The legislation that we are considering this afternoon is a small step in that direction. It is almost a token step because it provides a $55 rebate to pensioners. In taking that token step there is an inherent recognition by the government that the reforms to the energy industry that were put in place in the middle of last year had an adverse effect on all Queenslanders. The rebate that is the subject of this legislation seeks to provide a rebate to a small number of Queenslanders who are most unable to absorb that effect.

In this segment of the debate I would like to see the minister address the detail of how this legislation and this clause in particular, which is the clause that gives the legislation the effect, is going to enable those pensioners to catch up on those rebates that they should have been getting by now. They should have been getting them before this. The minister has made the point—and I commend him for it—that the rebates are going to be backpaid to July last year. I take it from the clause that we are considering that offers are now going to be made to all customers when they get their next bill. I would like the minister to clarify how those customers then set out to ensure that they get the rebates that they should have received in the previous three quarters. Given that their bills are paid quarterly, it is probably fair to say that most customers will have three rebate payments owing. I would like to know how this particular clause is going to be translated into detail through the billing system.

The clause ensures that the retailer must provide the community services agreed upon between the state and the retailer. I presume that this legislation will come into effect in a very short period, presumably in the next couple of days. It will go through the processes that will bring it into effect. From that point on retailers will be breaking the law if they send out a gas bill without providing that opportunity for customers to take advantage of the rebate. Those are the details that I think the minister has an opportunity to put on the record so we know the government's intent and how it intends to ensure that all of the pensioners whom we all agree are entitled to the rebate—even the member for Ipswich agrees with that, even though it was slightly twisted philosophy—get the rebate. We all agree that these pensioners should be entitled to the rebate. We all agree that they should be entitled to that rebate being backpaid to July. Some of us at least believe that they should have been paid the rebates before now. I am interested in the minister putting on the record of this parliament so that all Queenslanders know just how that process is now going to be completed in such a way as to ensure that the government's promise is fulfilled and Queensland pensioners get what they should have got before this.

Mr WILSON: Going to the first point that was raised, as I said earlier in my summing-up to the second reading debate, it was always understood that there would be two stages to implementing the gas rebate. The first stage was administrative because certain changes needed to take place with the billing system of all of the retailers. Even on a quarterly cycle, they would be three months out from 16 October. Even if on 17 October a law was instantly passed creating a legal obligation to do what at that point they undertook to do, it would not change the practical outcome because certain things had to happen at a computer based level within each of the retailers so that they could, firstly, identify the eligible pensioners; secondly, validate the claim by the customer that they were an entitled pensioner; and then, thirdly, issue the bill that actually carried the rebate. Theoretically, yes, we could have done that, but practically we would not have achieved any of the outcomes that we would have all desired. So a two-stage approach was taken. Then it was found that there was too much delay in the administrative implementation of the scheme. It was time to go give them a hurry up, to be blunt. That is why we are here. The legislation has been introduced into the House and will be passed today.

I draw the member's attention to clause 2 where it is stated that the act is to commence on 31 March 2008. That brings me to the second question that the member asked. He asked me to elaborate a little on clause 4, the proposed new section 175A, and how that will actually work. The clause is focused on creating an obligation to enter into an agreement between the retailer and the government, in like fashion to the Electricity Act with the electricity rebate.

The agreement itself, which was one of the challenges in the early days of the drafting, carries a couple of clauses that are very important to the delivery of the outcome that we are seeking. The first says that by 31 March all bills going out must contain an invitation to customers to identify whether they are a pensioner eligible to claim the rebate or alternatively that there be an information sheet with the bill inviting them to identify themselves as a potentially eligible pensioner. When the information comes forward as a result of that invitation then the companies go through a validation process with Centrelink and the Department of Communities to verify that it is a legitimate claim, that they are an eligible pensioner.

The second clause requires that no later than 30 June all bills going out must contain the rebate. It may be that in some cases it is a rebate for three quarters for someone who has been a gas customer up to 1 July. Other customers may have come on since then so they will receive the credit for fewer quarters. So there are two key fail-safe dates—one is 31 March, after which all bills going out must seek the expression of interest by an eligible pensioner, and the second is 30 June, and by that date all bills going out must contain the rebate in response to the self-identifying response that pensioners have made to the invitation in the first bill.

It is the case that even now pensioners are getting registered. Even now AGL and Origin are sending some bills out with the required invitation or sending some information about eliciting a response from potential claimants. That will continue to be the case. So, for those who have already registered, their next bill will go out with the rebate. So bills will go out before 30 June that indeed include the rebate. But 30 June is the drop dead date by which all bills thereafter must go out with the rebate. That is how it will work.

Mr SEENEY: I think that the minister and I best agree to disagree about the time tabling of the legislation and why it is here.

Mr Hinchliffe: The minister will be real cut up about that.

Mr SEENEY: The member for Mansfield never ceases to amaze me.

Mr Reeves: I'm pretty good. I said that without my lips moving!

Mr SEENEY: What I wanted to address was the agreement that the government needs to enter into with the retailers, or more correctly the retailers need to enter into with the government before they can offer retail services. The minister did pre-empt this to some extent in his response to the previous contribution I made. I take it from what the minister said that the agreements have already been drawn up or at least the contents of the agreements are known to the retailers. There are drafts, I would expect.

What strikes me from reading the detail of this clause is that the retailer cannot provide retail services unless they enter into that agreement with the government. I wonder if there has been resistance from the retailers to this clause on the basis that there is not anything in the clause to suggest that the agreement has to be reasonable, for example. In a hypothetical situation some minister in the future, some less responsible minister in the future—

Mr Wilson: Certainly not the incumbent.

Mr SEENEY: I do not want to suggest that the agreements that the minister has already drafted are unreasonable. I am not suggesting that at all. But there is no safeguard in this clause against an unreasonable agreement being presented to a retailer by a minister in the future. That is the point I make. I understand that the agreements that the minister has probably already drafted are just that—they are drafts. I presume the retailers have been party to the drafting of those documents.

Is there a danger that some time in the future we are going to see an unreasonable agreement presented to a retailer? Is there some sort of mechanism required to resolve a dispute that may well arise if a retailer believes that the agreement that has been presented to them by the government is unreasonable, given that this clause clearly prevents the retailer from offering retail services unless they agree with that agreement? Natural justice would suggest to me that there needs to be some sort of mechanism to resolve that if there were unreasonable behaviour on the part of either.

Hypothetically there could be an unreasonable stance taken by either the government or the retailer in claiming that the agreement as presented was unreasonable. Given that the agreement is a necessary prerequisite for the retailer to offer those retail services, it would seem that there should be or that there may be a need for some mechanism to ensure that that sort of dispute can be resolved. I wonder whether that has been considered by the minister or his department in the drawing up of this clause.

Mr WILSON: I note the shadow minister is concerned about this issue of reasonableness and has acknowledged that certainly I would not be behaving in an unreasonable way. One solution to his concern of course is that if I were able to enjoy the privilege of continuing indefinitely in this position then his problem would be resolved, but that might be decided by other forces.

To be serious and to take the member's point seriously, there are two parts to it. The purpose of the clause being drafted the way it is is to create a date beyond which if the retailers do not sign the agreement by that particular date they have to cease providing the customer retail services that they are authorised under their licence to provide. There is not much point having a licence if by another avenue the legislation provides that they cannot provide the customer service. That is the way in which you create a sharp point of choice for the retailer.

Then coming to the question of does that raise the potential of requiring them to enter into an unreasonable agreement, that is dealt with by paragraph (1)(b) which states—

(b) if no agreement is entered into with the State ... the retailer—

(i) provides the community services decided by the Minister; and

(ii) complies with any conditions included in the Minister's decision about the provision of the services.

So I get to make a decision about the customer services they provide, which of course contemplates a decision that they must provide a range of services including this gas rebate. The protection against unreasonableness is in subsection (2), which states—

(2) In making a decision under subsection (1)(b), the Minister must have regard to the retailer's reasonable administration costs and other risks in providing the community services.'.

So that protects the retailer from being forced to either sign an agreement that does not allow them to recover their fair costs or, in the absence of that, comply with the direction by the minister that they must provide the gas rebate scheme but in a fashion that does not allow them to recover their reasonable costs. That deals with the protection there for them.

Mr SEENEY: Minister, I note there is a figure in the explanatory notes under 'Estimated cost for Government implementation' of $75,000 per year. That is the anticipated cost by the government. Can the minister confirm that the $75,000 a year is the retailer's reasonable administration costs? The minister quoted from the last section of clause 4, which states—

In making a decision ... the Minister must have regard to the retailer's reasonable administration costs ...

I presume that the $75,000 is what the government estimates will be the retailer's reasonable administration costs. To take up the point I raised before, that appears to me to be the most contentious point and could lead to a dispute about whether or not the agreement that the retailer is required to enter into is reasonable. The retailer has to, first of all, make the customer aware of the rebate and then handle any applications for the rebate. The minister said earlier that the retailer will also have to confirm that the applicant is eligible for the rebate by consulting with Centrelink and other agencies.

That is the point where I believe this question of reasonableness will most likely be raised—that is, whether or not the amount that the government is prepared to reimburse is reasonable. I foresee there could be grounds there for conflict with the retailer who, by the law that is being created by this bill, must enter into an agreement that is being presented to it by the government. The minister quite rightly quoted from proposed section 175A(2), which states—

In making a decision ... the Minister must have regard to the retailer's reasonable administration costs ...

But the real point of contention is whether or not those costs are reasonable, and I do not believe the response from the minister addressed the crux of that issue. If I as a retailer am presented with an agreement that I have to sign by law before I can operate in the retail market and I do not believe that the administration costs—which have been calculated by somebody else—are fair and reasonable and I cannot reach some sort of a negotiated settlement on that point with the incumbent minister at the time, I would like to think there would be some sort of natural justice available to me. There should be some point of appeal, some process that would give me the right to have somebody else look at the issue.

Broadly speaking, that is a concept that I believe should be inherent in all of our justice and administrative systems. I do not believe that any individual, any corporation or, in this case, any retailer should be entirely at the mercy of the opinion of one particular person and have no recourse to be able to put their case somewhere else to be reviewed or have some sort of an appeal.

If I can just pre-empt the minister's answer a bit, I guess in terms of ministerial decisions the point of appeal is here in this chamber—that is, ministerial decisions can be challenged here on the floor of parliament. Every minister comes into this parliament on every sitting day to subject themselves to those types of challenges, and that makes the system work and keeps the system honest. I think this clause requires retailers to sign an agreement that may or may not in the future be a reasonable agreement. I am concerned about the possibility that we will depart away from that—

Time expired.

Mr WILSON: Firstly, the principles upon which the agreement anticipated in proposed section 175A is based are the same principles that are found in the agreement that has been signed by the retail entities for electricity. Secondly, the $1.50 per customer that the $75,000 constitutes is the same $1.50 per customer that is paid under the Electricity Act. I think that tells the member that it is reasonable.

Mr DEPUTY SPEAKER: Under the provisions of the resolution agreed to by the House and the time limits for the consideration of the bill having expired, the question is that clause 4, as read, be agreed to.

Clause 4, as read, agreed to.

Third Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (6.56 pm): I move—

That the bill be now read a third time.

Question put—That the bill be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Mines and Energy) (6.56 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

Sitting suspended from 6.56 pm to 7.55 pm.

WATER FLUORIDATION BILL

Second Reading

Resumed from p. 856, on motion of Mr Robertson—

That the bill be now read a second time.

Mr McARDLE (Caloundra—Lib) (7.55 pm): I would like to make a short contribution to the debate tonight on the Water Fluoridation Bill. The bill seeks to impose a legal requirement for drinking water suppliers to add fluoride to bulk water supplies if the population being supplied exceeds 1,000 people. The government aims to provide fluoridated water to 80 per cent of Queenslanders within two years and 90 per cent of Queenslanders by 2012.

The objective of fluoridating Queensland's water supplies is to promote good oral health by the safe fluoridation of public water supplies. Fluoride is a naturally occurring compound found in water, plants, rocks, soil, air and most foods. It helps protect teeth against decay. Tooth decay occurs when acid produced from sugar and bacteria in the mouth breaks down the outer surface of the tooth. Water fluoridation is the most effective way for everyone to access the benefits of fluoride. Fluoride does not affect the taste or smell of water.

In Queensland, Townsville, Bamaga, Dalby, Mareeba and Moranbah councils currently fluoridate their water. These residents have better overall health than other Queenslanders. Townsville has been fluoridating its water supply since the 1960s and, further, many regional and rural towns have naturally fluoridated water. Every state in Australia fluoridates its bulk water supplies except Queensland. Every other state and territory in Australia has been adding fluoride to drinking water since the 1960s or 1970s—more than 40 years in some cases. Brisbane is the only capital city in Australia which does not fluoridate water.

Queenslanders have the worst teeth in Australia, despite the fact the government spends more money than any other state or territory per capita on dental care. The Australian Institute of Health and Welfare found Queensland kids have more decay and twice the fillings than children in other states. Every year around 2,000 preschoolers are hospitalised for severe tooth decay and gum infections. In Queensland about 80,000 public dental patients are waiting up to seven years for treatment. Introducing fluoride into drinking water will dramatically lower the staggering public dental waiting lists and could reduce tooth decay by as much as 45 per cent. For every dollar spent on fluoridation, up to $80 per person is saved in dental costs. In Queensland, this equates to at least $328 million. The amount of fluoride needed to achieve this saving and improve Queenslanders' oral health is between 0.6 and 0.9 parts of fluoride per one million parts of water, or one drop of fluoride in a bathtub of water.

Water fluoridation is endorsed by many organisations, including the World Health Organisation, the Australian Dental Association, the AMA, the National Health and Medical Research Council, the Public Health Association of Australia, the BMA and the American Medical Association among others. There is no credible scientific evidence to suggest that fluoride has any adverse effect on health. Fluoride will not cause allergies, arthritis, bone fractures, headaches or impotence; it will not increase the risk of cancer or make you taller. Fluoride is not a poison, a pesticide or a form of mass medication or chemical terrorism.

Earlier today the Premier made comments on the bill before the House. The way she spoke would have members believing that the bill was introduced merely as a wedge between the Liberal and National parties. I can assure the House that the coalition is united on this bill and we will be supporting the bill, as outlined by the shadow minister.

I congratulate the shadow minister on a wonderful contribution to the debate here in this House. The issue in relation to the government attempting to use this as some form of wedge between the coalition partners has failed miserably. The Premier, grasping at some attempt to drive a further perceived wedge, suddenly claims that the amendments in some manner, in one way or another, will be the way that that wedge will, in fact, be lodged between us. What a load of rubbish. More Machiavellian thought I could not have come across until I realised that it was the Premier on 9 December 2005 who seconded the motion to exonerate Gordon Nuttall in this very chamber and I thought that anybody who could think that that was a positive idea—

Mr Robertson: Just pathetic.

Mr McARDLE: Yes, you are, Minister.

Mr Robertson: Just pathetic.

Mr McARDLE: Yes, you are, Minister; you are indeed. We saw that in the House today.

Mr DEPUTY SPEAKER (Mr English): Order! Minister, Leader of the Liberal Party: you will direct your comments through the chair and not to the member direct.

Mr Robertson: Mr Deputy Speaker, he is pathetic.

Mr McARDLE: Certainly the minister in his attempts to avoid the questions today and yesterday highlights his own inept ability to handle the portfolio that he was given. Irrespective of this, the attempts by the government to again establish some basis for a wedge between the members of the opposition team are completely unfounded. I can assure this House and the people of Queensland that we are and will continue to work together on an ongoing basis to highlight the inadequacies of this government not just in relation to the issue of health but many other portfolios. I commend the bill to the House.

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (8.01 pm), in reply: I jump with some surprise. I thought that the Leader of the Liberal Party was going to provide us with a contribution of substance but he seems not even to have made it to the five-minute mark. There you go, that is the Liberal Party for you. I thank the members who have today and yesterday contributed to this debate in support of the Bligh government's Water Fluoridation Bill 2008. It is pleasing to see, as much as we have been able to establish, the bipartisan support for this significant public health initiative. I say so advisedly because the level of bipartisanship was indeed strong right up until the point when people—can I say in particular members of the Liberal Party—had to actually show their hand. At the last moment what did they do? They squibbed it. They have rolled over to the wishes of the National Party. What did the party that was so strong with its principles about fluoridation do at the eleventh hour? What did it do at the last hurdle when it really meant something, when it came time to actually declare themselves and stick their hands up and say, 'Yes, we believe in this'? 'Old Jellyback' has come forward with some amendments which say more about politics than principle.

Fluoridation is nothing new. In fact, every other state and territory in Queensland already fluoridates its water supplies. By introducing water fluoridation, the government will bring Queensland into line with every other jurisdiction in Australia. This government has a responsibility to reduce the burden of oral disease on dental and other health services. Tooth decay has reached epidemic proportions in Queensland affecting 50 per cent of children by the age of six and about 95 per cent of adults aged 25 years and over.

Protecting teeth against decay through water fluoridation will result in significant long-term benefits by reducing the cost to Queensland families and to the government of treating dental disease. Together with oral hygiene and good nutrition fluoridation has been proven to reduce tooth decay by up to 40 per cent. Our Smart State simply cannot ignore the extensive scientific evidence that shows fluoridation is the missing link in Queensland's oral health system. Through this bill we are responding to the very clear wishes of the large majority of Queenslanders who support the fluoridation of public water supplies. Survey after survey, poll after poll, has shown that the majority of Queenslanders support water fluoridation. That cannot be, and has not been at any stage during this debate, effectively argued against. We know how the community feels and it is time that we acted.

I will take a few moments to respond to some comments made by members throughout our debate. Because I am a generous person I thank the member for Surfers Paradise, the Liberal spokesperson for health, for his in-principle support for the Bligh government's important public health initiative. I appreciate at least some of his considered comments in this debate. However, I do join the Premier in noting with some concern that the member and his Liberal Party colleagues believe that holding a referendum on this issue would be an abrogation of the state's responsibility. Had he even discussed this position with his erstwhile partners in the National Party who intend to move an amendment for the state to do just that and hold a statewide referendum? Did he do that before he stood in this place and said that there was no need for a referendum to be held on this important issue? Or is this just another example of how fractured and dysfunctional this so-called coalition has become? If the coalition cannot even agree on something as fundamental and straightforward as this significant public health initiative, how can it possibly hold itself out as ready to govern Queensland?

The shadow minister seems to believe that our bill is the same as the bill that he moved in 2004. It has become glaringly obvious, due to subjugation to the National Party, that it is not. I listened intently to the contribution of the member for Surfers Paradise. He talked about his maiden speech coming into this place, how it was a touchstone for him to see the introduction of fluoridation of water supplies in this state, how he dedicated his whole professional working life to the cause of fluoridation and how he spoke proudly about his private member's bill of a couple of years ago and his disappointment about not being able to achieve fluoridation of water supplies at that time.

The question is, however, at what stage did the member for Surfers Paradise believe it was necessary to hold a referendum? It was not in the 2004 private member's bill. I do not recall it being mentioned in his maiden speech to this parliament. Yet when it comes time to finally declare his colours, to nail his colours to the mast, to actually show some leadership, what do we see from the member for Surfers Paradise? He folds. He buckles under the pressure of the ultraconservative National Party. He puts aside his well-worn principles that he spoke so glowingly about in his maiden speech and took the sucker punch for the National Party. The member for Surfers Paradise now has no credibility on this issue. I feel sad for him because I actually think he meant what he said in his maiden speech. I actually think he meant what he said in his private member's bill. But I now see the true colour of the man through his contribution to this debate yesterday when he put all those high principles behind him for the sake of political expediency, for the sake of retaining support from the National Party to hold onto his position despite his underwhelming performance as shadow minister for health.

If there should be any doubt about just how pathetic that performance has been, can anyone recall his contributions to the various debates this week in this House where allegedly the Minister for Health was held to account by an aggressive opposition? I do not quite recall when it was that I got the question, the searching question from the member for Surfers Paradise, that would hold the Minister for Health to account during this week. Does that not just say volumes for the individual who has clearly shown he has no spine, he has no principles and he can no longer be taken seriously as an alternative health minister of this state?

Let the record show—because he has made great store about this: you can go to his web site and he declares long and proud his strong support for fluoridation—that at the end of the day he squibs. At the end of the day he folds.

Mr DEPUTY SPEAKER (Mr English): Order! Minister, please refer to the member by his correct title.

Mr Horan: The member for Surfers Paradise or the shadow minister for health.

Mr ROBERTSON: Did I err?

Mr Hopper: And he has a bit more up his sleeve.

Mr DEPUTY SPEAKER: Order! Member for Darling Downs!

Mr ROBERTSON: He might have something up his sleeve but it ain't principle, mate.

Mr DEPUTY SPEAKER: Order!

Mr ROBERTSON: Our bill provides $35 million for the statewide rollout and we have a comprehensive implementation plan. In contrast to the member for Surfers Paradise's private member's bill which provided no financial support for local governments we will not leave local governments high and dry. We have not been sitting on our hands on this initiative. We have been working towards this strategy for some years. We have continued to work with key stakeholders, such as front-line health staff, local councils, health community councils and health professionals to promote public awareness of the benefits of fluoridation. These efforts have resulted in a consistently high level of public awareness and support for fluoridation.

We have sought to encourage councils to lead the process of fluoridation in their communities. In 2005 we established a $6 million program to reimburse councils 100 per cent of the capital cost of fluoridating local drinking water supplies. We also enshrined in legislation the opportunity for councils to hold local polls to determine their community support for fluoride. Interestingly, not one council took us up on this offer. In addition to this, as the member for Waterford pointed out, the water environment in Queensland is fundamentally changing, with the state taking more and more responsibility for the delivery of water supplies. As a responsible government we will ensure that Queensland Health conducts regular random water tests to confirm the levels of fluoride reported by water service providers.

We have an obligation as a government to make the tough decisions in the interests of all Queenslanders. This was a decision we certainly did not take lightly. In fact, we actively sought the opinions of Queenslanders in making this decision.

The member for Warrego raised concerns about the cost to local councils in introducing this initiative. I can assure the member that our government will pay 100 per cent of the capital costs for councils to introduce fluoride—their fundamental demand. Nominal increases in water rates will cover the ongoing operational costs of fluoridating. In addition, we are developing subsidies for smaller communities to ensure that they are not disproportionately impacted upon.

The members for Warrego and Toowoomba South expressed the view that fluoridation is mass medication. This is yet another example of what an undisciplined and irretrievably divided rabble the coalition has become, with the member for Moggill and other Liberal members joining the government in roundly condemning such a view as an unscientific myth.

The member for Tablelands claimed, not surprisingly, that there is no credible scientific research favouring fluoridation and was joined by, again not surprisingly, the member for Nanango who quoted a list of scientists opposed to fluoridation. The fact is this: fluoridation is one of the most widely researched public health measures in the world and is endorsed as safe and effective by more than 150 major scientific and medical bodies both in Australia and overseas. Leading health bodies worldwide have also explicitly rejected any risk of fluoride exacerbating allergies and other conditions.

As for the comments by some members that all types of fluoride are poisonous, as the member for Mudgeeraba and others quite rightly pointed out, this is simply scaremongering. Fluoride is found naturally in the environment in rocks, soil and water. Only very small amounts of fluoride are needed to reduce tooth decay. Just like salt, iron, chlorine, vitamins and many others substances, fluoride is very beneficial in small amounts.

While I appreciate the supportive comments from the member for Moggill I am puzzled about one thing. It appears that he has not discussed these comments with the shadow health minister or, indeed, with any other member of the opposition. While the shadow health minister has asked us to pay for a

water filter for every Queenslander who wants to opt out of the public health initiative, the member for Moggill believes that encouraging people to opt out of public health and safety measures like seatbelts, bike helmets and fluoridated water undermines their effectiveness.

Mr Deputy Speaker, I am about to say something you probably have very rarely heard come out of my mouth. I find myself agreeing with the member for Moggill. It is true. I have fessed up tonight. I have finally found a level of agreement with the member for Moggill and that is to once again highlight how wrong, how misguided and what a jellyback the member for Surfers Paradise really is. Perhaps the member for Moggill can explain to the shadow health minister why it would be inappropriate for the government to pay the fine of every person found not wearing a seatbelt or buy a water filter for every person who objects to fluoridation.

I would like to thank the member for Gympie for his special contribution and for sharing with us the results of his comprehensive phone poll. He certainly deserves full credit for this initiative. However, the fact is that we have seen survey after survey which has shown that the majority of Queenslanders support the implementation of fluoride.

It appears that the member for Gympie and the member for Clayfield have an irreconcilable difference on this point. The member for Gympie wants yet more community engagement while the member for Clayfield believes the time for talking is over. Incidentally, the member for Clayfield might like to explain the importance of science to the member for Burnett who in 2005 said that science has no place in making decisions about the health of Queenslanders. Yet another very special contribution from our very good friend and warm colleague the member for Burnett! We are starting to really quite appreciate just how special he is, are we not, colleagues?

Like the member for Ipswich, I believe the people of Queensland want us to act on scientific evidence and facts when making decisions affecting public health. One of the great advantages of water fluoridation outlined to the House by the member for Woodridge is that it allows everyone to benefit from the protective effect of fluoride regardless of socioeconomic status. I particularly thank the member for Woodridge. I heard your speech, Desley. I thought it was a very well thought out contribution from a member who clearly knows just what struggle street is all about in terms of her electorate and what that means in terms of the health outcomes for those communities. I thank her for her contribution.

Fluoridation is not a magic bullet. As my parliamentary secretary, the member for Algester, explained to the House, water fluoridation must be combined with regular toothbrushing, appropriate use of fluoride toothpaste, healthy diet and regular dental check-ups to be effective in preventing dental disease and promoting good oral health. I would like to thank the member for Kallangur, a former health minister, for his contribution explaining that because its main effects are topical fluoride benefits a person's teeth every time they drink water or consume food prepared with fluoridated water. Teeth need small amounts of fluoride throughout the day for the whole of a person's life to prevent tooth decay.

The member for Toowoomba South expressed his concern that labourers and athletes would drink more water than normally required and therefore would be overexposed to fluoride. Clearly, he benefited very little from his time as health minister.

Mr Wallace: It hasn't hurt the Cowboys.

Mr ROBERTSON: The level of fluoride to be added to our water supplies will be very small and roughly equates to one drop of fluoride in a bathtub of water. I take the interjection from my colleague the member for Thuringowa—it has not hurt the Cowboys. It will be considerably lower than the maximum concentration of 1.5 parts per million recommended by the WHO's 2006 guidelines for drinking water quality and will not pose any risk of overconsumption to those who drink large amounts of water each day. All other states and territories that have had their water fluoridated for up to 50 years now have a generation of residents who grew up drinking it. From babies to the elderly they have been drinking fluoride for many many years with no ill effects.

The member for Gregory told us to get on with the job of fluoridating water and in the same breath suggested we hold a referendum just to make sure. I know the member for Gregory knows a thing or two about barbed wire and the pain that is caused by straddling it. I think he is guilty of that crime. From a bloke who usually takes a principled stand the politics has simply got in the way once again.

We know that the majority of Queenslanders want fluoridation and we know that to hold a referendum would be to delay an initiative that is in the best interests of all Queenslanders. The member for Nanango suggested that more and more countries are banning or removing fluoride from their own water supplies. What the member did not acknowledge is that because of practical considerations about the size of their water reservoirs and the chemical composition of their water supplies many countries in fact practice salt fluoridation instead to ensure that their communities can still benefit. Quite simply, no country has banned water fluoridation.

But we should never let the facts get in the way of a good conspiracy, should we, member for Nanango? Worldwide, around about 400 million people benefit from a fluoridated water supply. In fact, there have recently been significant increases around the world in communities' access to fluoridated water. Google this, member for Nanango. For example, in southern California fluoridation was expanded in 2007 to reach an additional 18 million people.

Just in the last couple of months the United Kingdom government under Prime Minister Brown has announced that it is working to increase the number of water treatment plants that are fluoridated. If I recall correctly in terms of his health secretary's contribution, they actually compared the oral health of two very large communities—Manchester and Birmingham—one of which did not have fluoridated water while the other did, and they found that there was a significant difference in oral health between those two communities. That is just in the last couple of months. Do we hear these googlers—these people who spend their every waking hour searching the internet for the latest on fluoridation—admitting to the decisions by the UK government just in the last couple of months to expand access to fluoridated water? No, we do not. Why? It does not suit their argument. Why? Because their view of science does not include a true appreciation of the facts.

I will close on this point, and I reflect on the contribution made by the member for Barron River yesterday. He mentioned a particular gentleman—a member of the Labor Party—in the tablelands, a fellow by the name of Bill Kilvert. Quite rightly, the member for Cook recognised that Bill has been one of the major campaigners against fluoridation. I know Bill. I have met him on a couple of occasions and he has been very blunt with me and I have been very blunt with him. I respect his view. I do not agree with it, but I respect his right to hold that view. Bill has been a great campaigner for the Labor Party and I just think it is appropriate that I do mention him, because he will do it tough as a result of this decision because the party that he belongs to and has belonged to for a long time is doing something that he passionately disagrees with. But I just say this to Bill: I appreciate your principled stance. I appreciate the campaign that you have waged now for many years. But, as I say, Bill, I am sorry but I do not agree with you on this point. But nevertheless, mate, I hope you stay with the party. I hope you stick with us, because you are, at the end of the day, a good bloke and we appreciate your commitment to the party, as demonstrated by so many years of membership. I commend the bill to the House.

Division: Question put—That the bill be now read a second time.

Resolved in the affirmative under standing order 108.

Bill read a second time.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4 (Object of Act)—

Mr LANGBROEK (8.28 pm): I move the following amendment circulated in the name of the Leader of the Opposition—

1 Clause 4 (Object of Act)

At page 8, line 19, after 'supplies'—

insert—

'in areas where the fluoridation has been approved by a majority of electors voting at a plebiscite'.

We have just had a very charming display from the honourable the minister following on from the Premier today. In a speech when she could have told us about how proud she was, in a presidential way, to bring in fluoridation—which is something that I have acknowledged that I am certainly happy to be a part of, as acknowledged by our support during the second reading debate—we got bullying attempts to cover up her government's position in the 51st Parliament which was the last time that we debated this issue in the parliament in 2004 and 2005. Then of course we have just had the Minister for Health as well full of bullying and derision. If this is typical of how the health department is run, then I am not surprised that we—

Mr Robertson: That's pathetic! You are pathetic!

Mr LANGBROEK: I could say that the health minister's contribution was pretty pathetic as well. If we are going to go tit for tat on name calling, we could be here all night. It is just typical again of this government. When we are not 100 per cent behind the government and we are only holding it to what it argued before—and, as I say, I will go to that in a moment—then we on this side cop the abuse. I can quite happily say that this is consistent with the view of the previous parliament. We have not had an election with fluoridation as an issue. The minister's staff said to us at the briefing that people knew this was coming. I think we should look at the private member's bill debate from 2005, when members opposite were so strident in their views that we should consult local government. I refer government members to 23 February 2005, when the then health minister, Gordon Nuttall, said—

As a government we stand by the view that fluoridation should occur only when there has been a sufficient amount of consultation with local councils and—

Most importantly—

communities.

Then we had the member for Bundamba say in that debate—

The member proposes that the state override local government, which our government cannot support.

Further, the member for Bundamba asked whether the member had consulted with local government in relation to this bill. Apart from asking about which councils we consulted the member also said—

It is shameful that he has not spoken to the general public on this issue.

I turn now to the comments of the member for Nudgee, who is now a minister in this government, and whose wife is a dental therapist. I remember the member exhorting the need for fluoridation but he said at the time—

I support the fluoridation of water supplies and would vote in favour of a proposal to do so if the Brisbane City Council conducted a public poll on the issue.

...

The effect of this ... would be to mandate without further discussion or consultation a regime that requires all local councils to add fluoride to their water supplies.

That is an interesting approach to policy from a party that purports to support the principles of liberalism.

...

The introduction of fluoride to water supplies is an issue of public importance and one about which the community should have an appropriate opportunity to express their views.

As I say, those were the words of the member for Nudgee, who is now a minister in cabinet. The former member for Bundaberg stated—

... while the facts and figures have proven to me that in today's society Queensland's children need fluoride more than ever before ... there are still many people in our communities who have concerns about this issue.

The member for Redlands, who is the now the Deputy Speaker, stated—

... this bill, put forward by the Liberal Party, reflects the behaviour of the National Party government back in the deep, dark days of Joh Bjelke-Petersen... I cannot support that. I cannot support mandatorily overriding community sentiment.

The member for Thuringowa, who is also now a minister, stated—

... I think it should be up to each community to decide whether it takes that step... Let us step away from the jackboot approach that the Liberals advocate and allow local governments to do the job they were elected to do.

The member for Aspley stated—

The introduction of water fluoridation at the hands of a ham-fisted state government department disdainful of the impact on local councils and communities is not a preferred way of achieving good public policy health outcomes. Nor is it good democracy.

We also heard other comments from other members. We are just saying to the members opposite that this was the view of the 51st Parliament. There has been no mandate, as expressed by the health minister publicly or by the Premier, that fluoridation was going to come in. We are happy to support the bill but we are just saying that Labor has delayed it for 20 years. We think this amendment is holding them to what the members opposite have always said. They could not support what we supported in 2004. This amendment is only suggesting that it is going to be by September 2008 that a plebiscite should be held.

I am happy to say that, following some comments I made on ABC Radio this morning, someone called Carmel from the Isle of Capri, which is in my electorate, stated that when her two teenage sons were small she took them to her dentist who, by chance, is John-Paul Langbroek, the Liberal member for Surfers Paradise and shadow health minister. She said she was disappointed that Langbroek is supporting the bill and not calling for a referendum. I have received very few comments such as that from people in my own electorate. I have had lots of negative comments, as we all know—

Mr MOORHEAD: I rise to a point of order. I have a question relating to relevance. This does not seem to relate to the amendment or the clause—

Mr DEPUTY SPEAKER: There is no point of order.

Mr LANGBROEK: I reiterate that this amendment is consistent with the view the last time the issue of fluoride was debated.

Mr Robertson: With your view.

Mr LANGBROEK: No, the view of the members opposite. We are holding the members opposite to account for their views then. We are happy to support this amendment.

Mr ROBERTSON: The embarrassment is now complete. The member for Surfers Paradise—that passionate advocate of fluoridation—has now had to stand up in this place to move an amendment, not his own amendment but the amendment of the Leader of the Opposition, the National Party member for Southern Downs, who is so committed to holding referendums on this issue that he cannot even be bothered to be here to formally move his amendment. This is the Leader of the Opposition's own amendment. This is a defining moment for the Leader of the Opposition to prove leadership. Where is he? Nowhere. This is how serious the Leader of the Opposition is and with what contempt he treats the Liberal Party, because he knows what it would mean to the member for Surfers Paradise to have to move this amendment. At no time during the debate in 2004, which you now talk about in terms of the mandate of the 51st Parliament, did you ever say—

Mr DEPUTY SPEAKER: Order! Refer to the member by his title.

Mr ROBERTSON: Did the member for Surfers Paradise ever refer to the need to have a mandate to move his private member's bill? Did that private member's bill require a referendum? No, it did not. The member for Surfers Paradise is hung by his own performance. He has effectively been done over by the National Party. What was it for? What 30 pieces of silver did he take to be done over so effectively like this? This is fundamentally embarrassing.

The member for Surfers Paradise spoke glowingly about his membership of the Australian Dental Association. I can imagine every member of that association listening to this debate tonight and quivering with absolute embarrassment that one of their members would at this defining moment not just have to subjugate himself to party discipline but engage in the ultimate humiliation of having to move the National Party leader's own amendment that he could not even be bothered turning up to introduce into this House. That speaks volumes not for the quality of the argument but for the politics of the night. The politics of the night—and let the *Hansard* record this—is that this was the last night that we could ever take the member for Surfers Paradise seriously on any issue whatsoever in terms of his shadow portfolio. I need not say any more.

Mrs CUNNINGHAM: I rise to support the amendment as proposed.

A government member interjected.

Mrs CUNNINGHAM: That is right. I am against mandatory fluoridation unless the majority in the community are in favour of it. There is a lot of difference—

Government members interjected.

Mrs CUNNINGHAM: I have a heck of a lot of emails—

Mrs Scott: What a waste of money.

Mr DEPUTY SPEAKER: Order! Member for Woodridge!

Mrs CUNNINGHAM: Thank you, Mr Chairman. I have received a significant number of emails, as has every member in this chamber, from people who are opposed to fluoridation. It is important that they have a voice in the chamber. This amendment that asks for a plebiscite, or a referendum, is in accord with many. The e-petition has almost 2,500 signatures to it seeking a referendum so that the community can have a say. I do not support mandatory fluoridation. A referendum gives voice to people to allow them to express their wish as to whether they want fluoridation or not. I support the amendment.

Mr ROBERTSON: At least the member speaks from a point of principle.

Miss SIMPSON: In supporting this amendment and supporting the work that has been done by the coalition members on this bill, I think it is important to note that the Labor Party has flip-flopped in its position from only a few years ago. Then there were members in this parliament who argued strenuously against mandatory implementation of fluoride into public water supplies in Queensland. I want to quote again from the *Hansard* of 23 February 2005. It is quite enlightening that the members opposite who, for political reasons, have changed their position want to ignore the principles that they enunciated in this place about the rights of people to have a say about this public health issue. The then health minister, Gordon Nuttall—what an unforgettable figure in this place he was, but he had the support of the Labor caucus—stated—

> ... the bill removes any requirement or mechanism for consultation with those bodies that control public water supplies to communities—that is, local councils.

The principle of engaging on consultation, both with stakeholders and the community, continued to come out with Labor Party contributions. The member for Bundamba, Jo-Ann Miller, stated—

> The key is that it—
>
> fluoridation—
>
> is supported wherever it receives the consent of the community affected ... It—
>
> the bill—
>
> ignores the fact that local authorities are in as good a position as anyone to judge whether they should or should not add fluoride to the water supply.

Let us look at what the member for Nudgee and current emergency services minister, Neil Roberts, had to say. This is about the principle of people having a say.

Mr REEVES: I rise to a point of order. I refer to standing order 236, which talks about matters of relevance and also matters of tedious repetition. The member for Surfers Paradise gave the same speech.

Mr DEPUTY SPEAKER (Mr English): Order! There is no point of order.

Miss SIMPSON: I realise that this Labor member wants to gag the community and the debate as well. Let me quote from this prior contribution of the member—

Mr REEVES: I rise to a point of order. I find the words offensive and I ask them to be withdrawn.

Mr DEPUTY SPEAKER: The member for Maroochydore will withdraw.

Miss SIMPSON: I will withdraw whatever he finds offensive.

Mr DEPUTY SPEAKER: Order! The member for Maroochydore will withdraw unconditionally.

Miss SIMPSON: Let me continue my quote.

Mr DEPUTY SPEAKER: Order! The member for Maroochydore will withdraw unconditionally.

Miss SIMPSON: I did withdraw. The member for Nudgee and current emergency services minister, Neil Roberts, said—

The Minister for Health has outlined the government's position, which is that it supports the introduction of water fluoridation wherever it receives the consent of the community affected.

...

The introduction of fluoride to water supplies is an issue of public importance and one about which the community should have an appropriate opportunity to express their views.

Then there is the member for Redlands, John English. He stated—

I cannot support mandatorily overriding community sentiment.

...

... I support the intent of this bill. However, I do not believe that the ends justify the means and I will not be supporting the bill.

Then there is the member for Aspley, Bonny Barry. She stated—

The introduction of water fluoridation at the hands of a ham-fisted state government department disdainful of the impact on local councils and communities is not a preferred way of achieving good public policy health outcomes.

Yet we have the Labor Party lecturing us about the fluoridation issue. We understand that governments have a role to introduce good policy for the wellbeing of its citizens. We on this side are saying that we recognise that this is a public health debate, but it is possible to maintain the principle of giving people a say without undertaking that ham-fisted approach as referred to in prior *Hansard* contributions by the member for Aspley, Bonny Barry.

Personally speaking, I actually support fluoridating water; I have no problem with it. However, over the years when replying to constituents on this issue I have consistently stated in my correspondence and in person, 'However, I support the right of communities to have a say and the rights of people who do not want to have this forced on them and the right to have other alternatives.' Those are good principles to achieve—both public health and safety outcomes—while respecting the rights of individuals not to have fluoride in their own particular water supplies. I believe that the motions and the debate of the coalition is about listening to our communities, understanding the respective viewpoints with regard to fluoride and, importantly, being able to deliver a good policy outcome which is about giving people a choice. There is another amendment which will be tabled later in the debate that extends that choice while recognising, on the other hand, the benefits as some view them with regard to fluoride.

Time expired.

Mr HORAN: When the bill was debated in 2005, 26 members who still sit on the other side argued quite strongly, as has been demonstrated, for the need for the community to have a say, particularly through their councils. It was done because all of us know and recognise that there was some passionate debate by very well meaning and genuine people on both sides of the debate.

In my speech earlier on the second reading stage of this bill, I talked about having some respect for those people who do have concerns about issues such as babies not being able to have fluoridated water and the long-term effects of fluoride. It is a personal health matter because it is a product that some people do not want to ingest, in the same way that people have particular views about eating organic foods or different types of food. People do not want to ingest fluoridated water. People are concerned about, as they call it, forced medication when the dosage that they will receive is unknown, depending upon whether they are a roofer or a labourer who drinks 20 litres a day or someone who drinks half a litre a day or whether they have long showers as fluoride is absorbed through the skin.

Mr Wallace: It hasn't hurt the Cowboys, Mike.

Mr HORAN: The Cowboys are only young. Like everyone else, what will happen when they are 80? That is one of these people's genuine concerns. We should not be disrespectful of good people who have done their research and who talk about what they believe any more than we should be disrespectful of people who go on good diets and say, 'This is healthy living and I'm not going to allow certain products into my body.'

I spoke in my speech about some of the issues such as fluorosis, about how many countries in Europe do not allow it and that only six countries in the world are more than 50 per cent fluoridated. If honourable members look at the figures for 12-year-olds in Australia from each of the states they will find that in Tasmania and the ACT—whose water is almost 100 per cent fluoridated—their figures are

worse than Queensland. New South Wales does not produce any figures probably because they are not good. Victoria and Western Australia have better figures than Queensland. From the literature that I have seen there is no dramatic difference one way or the other. I also gave two quotes this morning from two scientific journals relating to some warnings about fluoride. UNICEF itself has put out a warning about fluoride, stating that countries should be well aware of how much fluoride is within the diet, the water or in the environment before they embark upon fluoridating their water supplies. These are the sorts of concerns of the quoted 35 per cent to 40 per cent of people who are stridently opposed to fluoride.

The minister stood up tonight and fluffed his feathers and talked about all the polls and all the things that indicate this massive level of support. If he thinks there is that massive level of support in the AMA, the ADA and everyone else that he has quoted, what are you frightened of? If you are so confident to stand up here and, in a derisory way, talk about these polls—

An opposition member interjected.

Mr HORAN: At least he is calling for a referendum.

Mr Wallace: But he doesn't mean it; that's the problem.

Mr HORAN: If you are so fair dinkum about what you say, what are you frightened of?

Mr DEPUTY SPEAKER: Member for Toowoomba South, please direct your comments through the chair.

Mr HORAN: What are you frightened of?

Mr DEPUTY SPEAKER: Order!

Mr HORAN: Through you, Mr Chair, what is he frightened of?

Mr DEPUTY SPEAKER: You will address the minister by his title.

Mr HORAN: He is frightened of me, not of you. I know what the minister is concerned about because FOI has showed that his department has said that if there is a referendum it will not get up.

Mr ROBERTSON: Mr Deputy Speaker, I rise to a point of order. That is untrue and I ask for it to be withdrawn.

Mr DEPUTY SPEAKER: Order! There is no point of order. I call the member for Toowoomba South.

Mr HORAN: Thank you, Mr Deputy Speaker. That is the reason he does not want to have a referendum. He stands here on the one hand and says that this is absolutely certain because all these people want it and all the polls show it and then he does not have the ticker to have the referendum.

Time expired.

Mr WELLINGTON: I rise to speak in support of the amendment. One of the first private members' bills I introduced after being elected to parliament was the citizens' initiated referendum bill. I still support that view. I support the right of people to have a say and have a referendum if at all possible.

During the second reading debate on the bill and the debate that we are having now in relation to this amendment, we are continuing to have a debate about public health. At 6.30 this evening I watched a program on *Today Tonight*. That program was about public health. It was about concerns in the community relating to the level of preservatives and the effect that is having on our children today. I challenge every member in this House, if they are so passionately concerned about caring for the public health of Queensland children, to watch that program and ask the question: are you prepared to take the next step and see if we can do more to improve the public health of Queenslanders and Queensland children in relation to the issue of preservatives and the effect that is having on their lives today?

I commend the amendment to the House. I hope members will maintain the passion that we have heard today and this evening on the issue of public health and take the next step and watch that story on *Today Tonight* about the concerns that many parents have about the effect of preservatives on their children's lives.

Miss SIMPSON: In reconfirming my support for the principle of people having a say on this important issue, we recognise that a plebiscite also allows people to inform themselves about all sides of a debate. It is about informed consent—a great principle in our community and it is certainly one that we should uphold in a democracy. With informed consent and the opportunity to educate people about the various issues, people should also have the right to a lot more information from the government. The government should have taken it upon itself to release more information than it has.

I would like to take this opportunity to challenge the minister, who has said that he is doing this because of good science. I am sure there are good scientific journals out there. I know because I have read a number of them. But what we do not have from this government is the health statistics on the oral health of children throughout Queensland on a regional basis. Where are those statistics? Also what we do not have is the number of visits and information about access to public dental services and oral health services for children in regional Queensland under the auspices of this minister.

When I asked the Parliamentary Library for a number of the statistics in regard to issues about oral health and access, they did not have any figures published. They approached Queensland Health and the message came back from the Parliamentary Library that they had been informed that I would have to ask the minister that question. I have written a letter to the minister, but I provide the opportunity to the minister tonight to tell us whether he will table the statistics in this place about access to services for children in this state, the percentage of people who actually get to see an oral health professional—those who get to see a dentist, let alone a dental health nurse—and also the percentage of the incident rate in those regional communities.

This is important. The minister has talked about the science. I support good science. I support informed debate but also informed consent. I would prefer to see the government members supporting this amendment tonight which would give people the opportunity to have a say based upon that. Will the minister take up the challenge tonight to commit to releasing the figures with regard to the oral health statistics of Queensland children in all the regions so that we can get a real comparison of what those statistics are?

One of my fears is that the government will hide behind this legislation, this move to put fluoride into the water supply, by saying, 'We have fixed the oral health problems of children.' If members seriously think that this is the silver bullet that overcomes all of the ills of oral health, then they are drinking something that is a bit stronger than fluoride. I have said here tonight that I actually support fluoride in water, but I support the right of people to have a choice. I have said that consistently over the years, and it is also in written correspondence to constituents. I support people's right to informed debate and informed consent and their right to have a say. This challenge is for the minister. Will he actually put this information to the public? Does he have this information? How can people actually check to see what Queensland Health is doing as far as its role is concerned to ensure that they are meeting their targets for oral health services for children and that these children are being seen to and have timely services? This is extremely important.

Mr DEPUTY SPEAKER: I do ask the member for Maroochydore to come back to the amendment.

Mr ROBERTSON: I will be very brief in order to help the honourable member. It is called the Australian Institute of Health and Welfare. Check them out.

Miss Simpson: On a region by region basis?

Mr ROBERTSON: Look it up for yourself, you lazy bugger.

Mr DEPUTY SPEAKER: Order! Minister, that language is unparliamentary. Please withdraw.

Mr ROBERTSON: I withdraw.

Mr HORAN: It is quite amazing that back in 2005, 26 members over there, including the minister, spoke so respectfully about the rights of people to have a say and to have council referendums in opposing the private member's bill that was brought forward at that time by the member for Surfers Paradise.

Mr Robertson: I don't recall actually participating in that debate.

Mr HORAN: I could read out the names, but I am not going to waste the minister's time.

Mr Robertson: No, please do because I would like to check whether I did speak.

Mr HORAN: Okay. The people who voted against it?

Mr Robertson: No, you said 'spoke'.

Mr HORAN: People who spoke?

Mr Robertson: Yes.

Mr HORAN: Yes, heaps of them. Didn't you hear?

Mr Robertson: No, you said I did.

Mr DEPUTY SPEAKER: Order! Honourable members—

Mr HORAN: Well, I don't know whether you spoke or not.

Mr DEPUTY SPEAKER: Member for Toowoomba South! Minister! The member for Toowoomba South has the call.

Mr ROBERTSON: Mr Deputy Speaker, I rise to a point of order. The member is misleading the House. He alleges that I spoke during the debate. That is what he said, that I was one of 26 members; I was not.

Mr DEPUTY SPEAKER: Order! There is no point of order.

Mr HORAN: Thank you, Mr Deputy Speaker. Twenty-six people on the other side voted against that bill. Many of those people spoke quite respectfully and passionately about the rights of people to have their say and to have a referendum.

An honourable member interjected.

Mr HORAN: Fifty-two voted against it but there are 26 members still here who voted against it. A change has come over people all of a sudden in this debate that we have had in the last couple of days, where people spoke in such a cynical and sarcastic way about anyone who opposed this—

A government member: And you haven't?

Mr HORAN: You only have to read the speech by the member for Stafford, who was so cynical about the article 'Fluoride makes you a communist'. It is so derogatory of people. Yet back in 2005 there was respect for people who had contrary views to wanting to have fluoride in the water. That is what I am saying that this is about. All members have people in their constituencies—it will be around 30 to 45 per cent—who are strongly and vehemently opposed to this.

A government member: Rubbish!

Mr HORAN: You say rubbish. Why won't you have a referendum? If you say rubbish and if the minister says that all the polls show this, why don't you bring it on and have some respect for people? Bring it on.

Mr Hinchliffe: You want to put fluoride in the water and then take it out.

Mr DEPUTY SPEAKER: Order! Member for Stafford!

Mr HORAN: I will come to that business about fluoride in and fluoride out when we get to the next clause. We will stitch you up then. In fact, I think he's been having fluoride because he's the commo!

Government members interjected.

Mr DEPUTY SPEAKER: Order!

Mr HORAN: I just want to make this point: in this place, despite contrary views on particular issues, when it comes to matters of serious personal health—when it involves a medication where the dosage rate is not controlled in terms of people's intake and there are issues, as I have said, to do with babies, to do with thyroid function, to do with long-term bone structure and all of those issues that people have brought up—why wouldn't we be prepared to let people go to a referendum? This is something that is deeply personal to people. It is something that involves their lifeline—that is, their water supply. For those people who do not believe in this it will mean that they will have to seek alternative water supplies, and that is not fair on those people.

I think what we are proposing is fair. Members have heard the views from people on this side who strongly support it. Other members have concerns about some of the issues, but we have supported loyally the majority view of our party room. This is about respect for people. I have met with a lot of these people. I have met with good, decent people in my electorate. I have met with people who have lobbied on this issue statewide and I respect those people. They are decent, ordinary Queenslanders with an intellect. They are genuine and they believe in this. The only fair and proper thing to do is to have a referendum. Those 26 government members who supported the concept of a referendum and voted against the private member's bill in 2005 should also consider this and stand by what they believed in in 2005.

Division: Question put—That the Leader of the Opposition's amendment be agreed to.

AYES, 18—Copeland, Cripps, Cunningham, Dempsey, Hobbs, Hopper, Horan, Langbroek, McArdle, Malone, Messenger, Nicholls, Pratt, Seeney, Simpson, Wellington. Tellers: Elmes, Rickuss

NOES, 47—Attwood, Barry, Bombolas, Choi, Darling, Fenlon, Grace, Gray, Hayward, Hinchliffe, Hoolihan, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, Palaszczuk, Pearce, Pitt, Purcell, Reeves, Reilly, Roberts, Robertson, Scott, Shine, Smith, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Jones

Resolved in the negative.

Non-government amendment (Mr Springborg) negatived.

Clause 4, as read, agreed to.

Clauses 5 and 6, as read, agreed to.

Insertion of new clause—

Mr LANGBROEK (Surfers Paradise—Lib) (9.07 pm): I move the following amendment circulated in the name of the Leader of the Opposition—

2 Before clause 7—

At page 9, after line 18—

insert—

'6A Application of pt 3

'This part applies only to the extent provided by section 122.'.

This is a consequential amendment.

Mr ROBERTSON: I rise to make a very short contribution to object to the amendment put forward by the member for Surfers Paradise on behalf of the Leader of the Opposition. I simply note that the vote that was just taken once again demonstrates how split and fractured the opposition is on this issue. When the fist division was called in this place, the member for Moggill was supporting the government, yet in the vote just taken the member for Moggill was nowhere to be seen. He has actually absented himself from the vote. That demonstrates once again how fractured the Liberal and National parties are. They cannot even discipline their own frontbench. The alternative Treasurer of the state cannot even turn up.

Mr DEPUTY SPEAKER: Order! Minister, I ask you to come back to the amendment.

Mr ROBERTSON: With those points, I say that we will not be supporting the amendment moved by the member for Surfers Paradise.

Miss SIMPSON: I support the work that has been done by the shadow minister for health on this. I note that the Premier is not here in the House and nor is the leader of government business. The minister wants to take pot shots at people who have leave, but that is in poor taste.

Non-government amendment (Mr Springborg) negatived.

Clauses 7 to 12, as read, agreed to.

Clause 13—

Mrs CUNNINGHAM (9.09 pm): I rise to speak on clause 13, which deals with the obligation to notify the public of the intention to add fluoride to potable water supplies. This clause requires at least 30 days notice before fluoride is added to the water. The member for Nanango and I voted against the second reading stage of the legislation because of the number of people in our communities who are opposed to the mandatory fluoridation of the water supply. This notification will alert those people with concerns about fluoridation to the fact that fluoride will be added to the drinking water in 30 days. Paragraph (b) of the clause requires the public potable water supplier to—

publish the fluoridation notice at least once in a newspaper circulating in the area of the State serviced by the water supply.

Can the minister indicate whether this will be in the largest circulating paper rather than a small tin-pot paper—no offence intended—or a paper with only a small circulation? If that were the case, a number of people would miss the opportunity of being made aware of the addition of fluoride.

I also want to say that I appreciate what the minister said in his reply to the second reading debate when he referred to an ALP member in north Queensland called Bill who was diametrically opposed to fluoridation. The minister described him as having a principled stand, whereas others in this debate have ridiculed or maligned anyone who is opposed to mandatory fluoridation and have said that their opposition is based on unscientific facts. I believe that many in the community who are opposed to mandatory fluoridation are well informed—people like the Clinton ALP branch members, Rex and Bill who have a significant and well-informed opposition to fluoridation. It is important that this notification is well circulated so that those who have either a genuine health sensitivity to fluoride or an informed and strident opposition to fluoridation will know that fluoride is being added and they will have one month to be able to take action to find an alternative water supply.

I want to confirm that the newspaper to be used will be the largest circulating newspaper in an area, rather than having in some communities what I hope is the intent of this amendment circumvented by putting it in a small circulating newspaper. As I said, not everyone buys the newspaper and not everyone will be advised, but at least there is some opportunity for those who are opposed to fluoridation to be informed.

Mr ROBERTSON: I am happy to give the assurance to the member that the newspaper in which such a notification would be published would be the one that would achieve the maximum possible circulation in an area. But I have to say before I close that any such publication of a notification would immediately alert local journalists of all publications in an area to the intention to fluoridate the water supply and I think as a result would gain very, very wide coverage not just in that publication but also in all publications in an area where we were taking such action.

Mr HORAN: This clause stipulates that 30 days notification is to be given. I think it is well known by members on both sides of the House that infants should not drink fluoridated water. Whilst the recommended age of the infants varies, in America it is under 12 months—

Mr Robertson: Ask John-Paul.

Mr HORAN: I am asking you. You are the minister. I know that he probably has a lot more talent than you, but I am asking you.

Mr DEPUTY SPEAKER (Mr English): Order! Member for Toowoomba South, please direct your comments through the chair.

Mr HORAN: If we look at the birth figures for Logan Hospital, Mater Mothers, Royal Women's and other facilities around south-east Queensland such as those at Ipswich, the Gold Coast, the Sunshine Coast and so on, we see that there are thousands and thousands of babies being born. How will you

notify all of the mothers of infants under 12 months of age and those pregnant women due to have a baby about the potential risks? Have you considered any budget or any form of marketing in order to get that particular message across through your department, which has the responsibility for the healthy upbringing of young children?

Mr ROBERTSON: As I responded to the member for Gladstone, the publication of a notification in any newspaper in any area would automatically set off every journalist in a particular area to report widely on this issue. There would be no-one left under any misapprehension or lack of knowledge once that notification was published that there is an intention to fluoridate a community's water supply. What the member alleges will simply not be the case. I can only suggest that he refers his concerns about fluoridation and babies and pregnant mothers to his own colleague, who is very well versed in those particular issues.

Mr HORAN: I believe that you as the Minister for Health have a duty of care. From the answer that you have given, I take it you are saying that you are not worried at all about the risks of fluorosis for young babies, that in some parts of the world it is recommended that babies up to 12 months do not drink fluoridated water in their formula, while other places recommend that babies under six months not drink fluoridated water. I do not want to be cruel and say that your answer tonight was flippant, but I thought your answer tonight was avoiding your responsibilities as the Minister for Health of this state. It would appear to me that you regard it as of no concern that babies would drink this water, that you have no plan in place—

Mr DEPUTY SPEAKER (Mr English): Order! Member for Toowoomba South, please refer to the honourable minister by his correct title, not 'you'.

Mr HORAN: I am saying 'you'; I should be saying 'the minister'. It appears that the minister has no plan in place to ensure that 100 per cent of mothers with young infants and pregnant women due to have a child are advised of this by child health nurses, by doctors or by any other means by which first-time mothers in particular are provided with this information. The minister has virtually relied upon the fact that it will be in the papers and that journalists will start to write about this and develop some sort of controversy.

I believe that the minister has an absolute duty of care to have in place a plan to tell young women that fluoride is in the water and to tell them of some of the perceived risks and some of the rules and regulations in other countries so that he observes his duty of care and does the right thing by pregnant mothers and mothers of young children. It is the very least he can do. I think it is serious. We need an answer to say that the minister will follow this through and ensure that child health nurses, doctors, paediatricians and everybody else develop a system of information containing scientific facts and the regulations in other countries and make sure that these young women are properly informed and get the advice that they should get and not leave it to journalists writing in newspapers.

Clause 13, as read, agreed to.

Clauses 14 to 76, as read, agreed to.

Clause 77—

Mrs CUNNINGHAM (9.19 pm): This clause follows the establishment of the Queensland Fluoridation Committee. It outlines the committee's function. Part of the responsibility of the committee is to advise the minister about a number of issues. The first issue is the safety and efficacy of fluoridation of public potable water supplies in Queensland. Whilst I do not support mandatory fluoridation, I commend the minister that there will be an audit process in relation to the safety and efficacy of fluoridation. I believe in part that may give some calm to people who are actively and fiercely concerned about adding another chemical to our water supplies.

The question I have for the minister is: is it within the purview of this committee's responsibilities to advise the minister on any unforeseen health impacts? What will the government's attitude be to the identification of health impacts that at this point in time are unpredicted and unforeseen?

A number of people who have contacted me in relation to the addition of fluoride to the water supply are unsure how it will impact on their children. A lot of those children already have compromised health.

Mr Lawlor: Got rotten teeth.

Mrs CUNNINGHAM: No, not rotten teeth. They have other health issues that they already find difficult to cope with. The member for Nicklin talked about food additives and the impact of food additives on behaviour. There are parents concerned that this could be another trigger for susceptible children and susceptible adults.

Will that committee advise the minister in relation to unforeseen health impacts? Will there be an audit and review of information that comes to hand from members of the community who have health complications because of what they believe is the fluoride in water? Will the government take responsibility for any of these unforeseen health impacts should they occur?

Mr ROBERTSON: It is difficult to answer that question in so far as it would not be within the purview of this committee to conduct the quite extensive research that would be required to overturn the vast body of well researched scientific evidence from throughout the world that has given fluoride a completely clean bill of health when tested against all of the questions put to it. I would imagine, however, that if there is a body of research that emerges at some stage in the future that is reputable and would have been signed off by organisations like the National Health and Medical Research Council, the World Health Organisation and other reputable research bodies then not just this committee but my department would give consideration to that. I can give the member that assurance.

Mr HORAN: Will this committee which is looking at the safety and efficacy of this be looking at the particular compound that will be used to add the fluoride to our water? Would the minister be able to tell us during the debate on the clauses whether it is sodium fluoride or hexafluorosilicic acid that will be used? I am sure the minister has been briefed on which compound is going to be placed in the water. I read out the two. One is an S6 compound and the other one is an S7 compound. I understand it will be hexafluorosilicic acid. Can the minister confirm that? Would this committee be advising the government on what is the safest compound to use? For example, would it be calcium fluoride which is regarded in a better light?

Mr ROBERTSON: My understanding is that both of those different types of fluoride when mixed with the other chemical, hydrogen dioxide, do not result in any problems with respect to the health of those who consume the end product.

Mr HORAN: So the minister has confirmed that it will be one of those two products that is used—sodium fluoride or hexafluorosilicic acid. The first one is an S6 poison and the other is an S7 poison.

Mr Robertson: What will be used is what will be determined to be appropriate in the circumstances.

Mr HORAN: I actually think it is important that the minister tells us what is going to be used. He must know it. He can ask his advisers the question. The health department obviously knows which compound is going to be put into the water. I think it is important that he tell us what compound is going to put into the water. My question has two parts to it. What compound will actually be put into the water? Is this compound going to be recommended or checked by the committee that is looking at safety and efficacy?

Mr ROBERTSON: Sodium fluoride, sodium fluorosilicate and fluorosilic acid are already in common usage throughout Australia and the rest of the world. Whilst the member did not particularise the difference that might arise out of using one or the other of those particular products I am sufficiently aware of the debate that rages out there about this. But I can assure the member that either of those products are in common usage throughout Australia and throughout the rest of the world. As to what is used at the end of the day would be a matter for the local government to decide upon. If there is any concern I am sure it can be referred to this committee and they will deal with it on a case-by-case basis I imagine.

Clause 77, as read, agreed to.

Clauses 78 to 99, as read, agreed to.

Insertion of new clause—

Mr LANGBROEK (9.27 pm): I move the following amendment—

1 New clause 99A

At page 52, after line 20—

insert—

'99A Rebate scheme

'(1) A rebate scheme must be established to give a rebate to members of the public being supplied with potable water from a fluoridated public potable water supply who install fluoride filters.

'(2) The rebate scheme must—

(a) be established under a regulation; and

(b) relate to the cost of purchasing fluoride filters.

'(3) In this section—

fluoridated public potable water supply means a public potable water supply to which fluoride is added under this Act.

fluoride filter means a reverse osmosis water filter.'.

This proposes to bring in a rebate scheme for people who may choose to have a reverse osmosis filter. This is not, as the government was presenting it today, an expensive option of putting fluoride in and providing for people to take it out if they choose not to have it. It is something we thought was fair and reasonable for the many people who have expressed concern about this. There should be a rebate scheme similar to the water tank rebate scheme. The government should acknowledge the concerns of these people and be prepared to subsidise inexpensive reverse osmosis filters for those people who say

that they really do not want to drink fluoridated water. There will not be many people who will take up this option. It should be something that in good faith the government should be prepared to do just as it has been prepared to do with the water tank subsidy scheme. It is a proposal that we thought was quite commendable. I commend the amendment to the House.

Deputy Speaker's Ruling, Proposed Amendment Out of Order

Mr DEPUTY SPEAKER (Mr English): Honourable members, I refer to the amendment to the Water Fluoridation Bill 2008 moved by the member for Surfers Paradise. The amendment proposes a rebate scheme to be finally established by regulation. Section 68 of the Constitution of Queensland provides that the Legislative Assembly must not originate or pass a vote, resolution or bill for the appropriation of an amount from the consolidated fund that has not been recommended by a message of the Governor.

Standing order 165(2) also requires that, when a message is required from the Governor recommending an amendment be moved to a bill for the appropriation of money, the message shall be presented to the Speaker and read before the amendment is moved. Further, standing order 165(3) provides that only a minister, in accordance with a message from the Governor, may introduce an appropriation bill or propose the imposition of a tax, rate, duty or impost or increase or alter the incidence of a charge. This constitutional provision and standing orders embody what is known as financial initiative of the executive—that is, the constitutional and parliamentary principle that only the government may initiate or move to increase appropriations or taxes. It is a common feature of Westminster systems. In this regard, I refer to the *House of Representatives Practice,* Fourth Edition at pages 401 and 402 and *Erskine May,* 22nd Edition at pages 732 to 740. This principle embodied in the Constitution and standing orders therefore effectively prevents private members from introducing bills or moving amendments that would cause an appropriation of public moneys or cause an increase in expenditure for public money. It applies to provisions in bills which will involve the future expenditure of public money.

A rebate scheme would cause an increase in public expenditure. The amendment, if passed, would impose an obligation on the government to pay money for rebates out of the consolidated fund in the absence of any other source. There is no message recommending such expenditure. I refer to the rulings by Chairman Pollock on 20 August 1924 and Chairman Hanson on 8 September 1932. This is not a case where public expenditure is incidental. The main purpose of the amendment is to cause a public expenditure. I am therefore ruling the member for Surfers Paradise's proposed amendment out of order as it does not comply with the Constitution or standing orders.

Mr HORAN: Mr Deputy Speaker, could I ask if I can make a comment on that please?

Mr DEPUTY SPEAKER (Mr English): No.

Clauses 100 and 101, as read, agreed to.

Insertion of new clauses and schedule—

Mr LANGBROEK (9.31 pm): I move the following amendment circulated in the name of the Leader of the Opposition—

3 After clause 101—

At page 53, after line 16—

insert—

'Part 12 Water Fluoridation Plebiscite

'Division 1 Preliminary

'102 Definitions for pt 12

'In this part—

applied provisions means the provisions of the *Referendums Act 1997* as applied under section 113.

commission means the Electoral Commission of Queensland under the *Electoral Act 1992*.

commissioner means the electoral commissioner under the *Electoral Act 1992*.

cut-off day, for electoral rolls for the plebiscite, means the day stated as the cut-off day in the plebiscite notice or, if another day is substituted under section 109, the other day.

declaration vote means a declaration vote made under the applied provisions.

issuing officer means an issuing officer under the *Electoral Act 1992*.

member means a member of the Legislative Assembly.

plebiscite see section 104(1).

plebiscite area see section 106.

plebiscite districts see section 110(1)(a).

plebiscite notice see section 107(1).

political party means an organisation whose object, or 1 of whose objects, is the promotion of the election to the Legislative Assembly of a candidate or candidates endorsed by it or by a body or organisation of which it forms a part.

polling day means the day decided by the commission under section 104 or, if another day is substituted under section 109, the other day.

publish, in relation to a gazette notice, means publish in the gazette.

Queensland Water Commission means the Queensland Water Commission under the *Water Act 2000*.

question see section 105.

relevant elector means a person who, under the applied provisions, section 21, is entitled to vate at the plebiscite.

returning officer means a person holding an appointment as a returning officer under section 111.

'103 Function of the commission

'The commission has the function of making appropriate arrangements for the conduct of the plebiscite.

'Division 2 Requirement for a plebiscite

'104 Plebiscite to be conducted

'(1) The commission must conduct a plebiscite taking the vote of relevant electors on the question (the ***plebiscite***).

'(2) The polling day for the plebiscite is the day, before September 2008, decided by the commission.

'(3) Subsection (2) applies subject to section 109.

'105 Question for the plebiscite

'The ***question*** for the plebiscite is as follows—

Are you in favour of the fluoridation of drinking water supplies in Queensland?

'106 Plebiscite area

'The ***plebiscite area*** consists of the whole of the State other than an area that, immediately before the commencement of this Act, was serviced by a public potable water supply treated with fluoride.

'107 Plebiscite notice

'(1) As soon as practicable after the commencement of this Act, the Minister must publish a gazette notice for the plebiscite (the ***plebiscite notice***).

'(2) The plebiscite notice must state—

(a) the polling day for the plebiscite; and

(b) the cut-off day for electoral rolls for the plebiscite, which must be—

(i) not less than 7 days after the day the plebiscite notice is published; and

(ii) not less than 21 days before the polling day.

'(3) For deciding the cut-off day—

(a) that day and the day the plebiscite notice is published are both to be included in the 7 days mentioned in subsection (2)(b)(i); and

(b) that day and the polling day are both to be included in the 21 days mentioned in subsection (2)(b)(ii).

'(4) Subsection (3) applies despite the *Acts Interpretation Act 1954*, section 38.

'108 Commission to prepare for plebiscite

'On the publication of the plebiscite notice, the commission must—

(a) advertise the polling day and the cut-off day for electoral rolls for the plebiscite in ways the commissioner considers appropriate; and

(b) give a copy of the plebiscite notice and a statement of the question to each returning officer; and

(c) make available for inspection by anyone, without fee, a copy of the plebiscite notice and a statement of the question at offices of the commission and anywhere else the commission considers appropriate; and

(d) make appropriate arrangements for the conduct of the plebiscite.

'109 Minister's powers for plebiscite

'(1) The Minister may by gazette notice—

(a) substitute a later day for the polling day or the cut-off day for electoral rolls for the plebiscite, either generally or for a stated plebiscite district; or

(b) provide for anything to be done to overcome any difficulty that might otherwise affect the conduct of the plebiscite.

'(2) A gazette notice substituting a cut-off day for electoral rolls for the plebiscite may be published before, on or after the cut-off day stated in the plebiscite notice.

'(3) A gazette notice substituting the polling day for the plebiscite—

(a) must be published before the polling day for which the later polling day is being substituted; and

(b) must not substitute a day for the polling day—

(i) that is not a Saturday; or

(ii) that is more than 21 days after the polling day stated in the plebiscite notice.

'110 Plebiscite districts and electoral rolls

'(1) For the purpose of conducting the plebiscite, the commission must—

(a) divide the plebiscite area into districts (***plebiscite districts***) that reflect the boundaries of areas of the State serviced by public potable water supplies and advertise the districts in ways the commissioner considers appropriate; and

(b) prepare an electoral roll for each plebiscite district as soon as practicable after the cut-off day for electoral rolls for the plebiscite.

'(2) For the preparation of the electoral rolls and related matters, the electoral roll provisions apply, with all necessary and convenient changes, as if—

(a) a reference in the provisions to an electoral district were a reference to a plebiscite district; and

(b) a reference in the provisions to a referendum were a reference to the plebiscite.

'(3) On request by a member, the commission must give to the member a free copy of the most recent printed version, computer disk or computer tape version of the electoral roll for a relevant district.

'(4) Subsection (3) applies despite the *Electoral Act 1992*, section 61(10) as applied under subsection (2).

'(5) In this section—

electoral roll provisions means—

(a) the *Electoral Act 1992*, sections 58, 59(3), 60, 61(3) and (6) to (10), 62, 64(1) and (2), 65, 66 and 152; and

(b) any other provisions of that Act relevant to the application of a provision mentioned in paragraph (a).

relevant district, for a member, means a plebiscite district located entirely or partly in the electoral district under the *Electoral Act 1992* that the member represents.

'111 Returning officers

'(1) The commission must, for each plebiscite district, appoint an elector as the returning officer for the district.

'(2) A person may be appointed as the returning officer for more than 1 plebiscite district.

'(3) A person must not be appointed as a returning officer if the person is—

(a) a minor; or

(b) a member of a political party.

'(4) Without limiting the commission's powers to terminate the appointment of returning officers, the commission must terminate the appointment of a returning officer if the returning officer becomes a member of a political party.

'(5) A returning officer must perform functions under this part as decided by the commission under the arrangements decided under section 108(d).

'(6) A returning officer must act in accordance with any directions given by the commission.

'(7) In this section—

elector means a person entitled to vote at an election for an electoral district under the *Electoral Act 1992*.

'112 Assistant returning officers

'(1) The commission may appoint as many electors as assistant returning officers as the commission considers appropriate for the plebiscite.

'(2) A person must not be appointed as an assistant returning officer if the person is—

(a) a minor; or

(b) a member of a political party.

'(3) Without limiting the commission's powers to terminate the appointment of assistant returning officers, the commission must terminate the appointment of an assistant returning officer if the assistant returning officer becomes a member of a political party.

'(4) Assistant returning officers must, under arrangements decided by the commission under section 108(d), assist returning officers in performing the returning officers' functions under this part.

'(5) The commission may appoint an assistant returning officer to act in the role of a particular returning officer during any period when the returning officer is absent from duty or is, for another reason, unable to perform the functions of the returning officer.

'(6) While an assistant returning officer is acting as a returning officer—

(a) the assistant returning officer has all the powers and functions of the returning officer; and

(b) this part and the applied provisions apply to the assistant returning officer as if the assistant returning officer were the returning officer.

'(7) Anything done by or in relation to a person while the person is purporting to act under this section is not invalid merely because the occasion for the person to act had not arisen or had ceased.

'(8) An assistant returning officer must act in accordance with any directions given by the commission.

'(9) In this section—

elector means a person entitled to vote at an election for an electoral district under the *Electoral Act 1992*.

‘113 Applied provisions

‘(1) The *Referendums Act 1997* applies to the plebiscite with all necessary and convenient changes.

‘(2) Without limiting subsection (1), that Act applies—

(a) as if it were amended as stated in schedule 1; and

(b) with the changes stated in subsection (3); and

(c) as if it were otherwise amended, and with any other changes, as prescribed under a regulation.

‘(3) For the purpose of applying the *Referendums Act 1997* to the plebiscite—

(a) a reference in that Act to a referendum or referendums is taken to be a reference to the plebiscite; and

(b) a reference in that Act to an elector is taken to be a reference to a relevant elector; and

(c) a reference in that Act to an electoral district is taken to be a reference to a plebiscite district; and

(d) a reference in that Act to an electoral roll is taken to be a reference to an electoral roll prepared under this part.

‘Division 3 References in other Acts

‘114 References in Criminal Code

‘(1) A reference in the Criminal Code to a referendum is taken to include the plebiscite.

‘(2) A reference in the Criminal Code to the *Referendums Act 1997* is taken to include this Act.

‘115 References in Electoral Act 1992

‘(1) A reference in the *Electoral Act 1992*, section 30, to a referendum is taken to include the plebiscite.

‘(2) A reference in the *Electoral Act 1992*, section 127, to the *Referendums Act 1997* is taken to include this Act.

‘116 Reference in Guardianship and Administration Act 2000

‘A reference in the *Guardianship and Administration Act 2000*, schedule 2, part 2, section 3, to a referendum is taken to include the plebiscite.

‘117 Reference in Powers of Attorney Act 1998

‘A reference in the *Powers of Attorney Act 1998*, schedule 2, part 2, section 3, to a referendum is taken to include the plebiscite.

‘Division 4 Miscellaneous

‘118 Queensland Water Commission may publish information

‘(1) The Queensland Water Commission may publish information relevant to the question and issues associated with the question, including information in support of a ‘yes’ answer to the question and information in support of a ‘no’ answer to the question.

‘(2) In this section—

information, relevant to the question or an issue, includes an entity’s analysis of, or comments or opinions about, the question or issue.

‘119 No obligation for polling booths or pre-polling offices outside plebiscite area

‘(1) Despite anything in the applied provisions, the commission is not required to make arrangements for providing polling booths or pre-polling offices outside the plebiscite area.

‘(2) In this section—

pre-polling office means an office staffed by an issuing officer for the purpose of the making of declaration votes before the polling day.

‘120 Confidentiality

‘A person involved in the administration of this part who gains information because of the involvement must not disclose the information to anyone else other than—

(a) for the purposes of this part; or

(b) under the authority of another Act; or

(c) in a proceeding before a court in which the information is relevant to the issue before the court.

Maximum penalty—40 penalty units or 18 months imprisonment.

‘121 Summary proceedings for offence

‘A proceeding for an offence against this part is to be taken in a summary way under the *Justices Act 1886*.

‘122 Fluoridation if question approved

‘(1) This section applies if the question is approved by a majority of the relevant electors within a plebiscite district.

‘(2) Each public potable water supplier for a relevant public potable water supply with which the plebiscite district is serviced must add fluoride to the water supply in compliance with part 3.

‘(3) Each public potable water supplier for a public potable water supply, other than a relevant public potable water supply, with which the plebiscite district is serviced may add fluoride to the water supply in compliance with part 3.

‘123 Areas with fluoridation before the commencement of this Act

‘Nothing in this Act prevents a public potable water supplier for a relevant public potable water supply from adding fluoride to that water supply, in compliance with part 3, in an area that, immediately before the commencement of this Act, was serviced by a public potable water supply treated with fluoride.’.

‘Schedule 1 Amendments for applying the Referendums Act 1997 to the plebiscite

section 113(2)(a)

1 Section 3—

omit.

2 Parts 2 and 3—

omit.

3 Section 15(5)(b), ‘writ for a referendum is issued’—

omit, insert—

‘plebiscite notice is published under the 2008 Act’.

4 Section 18(2)(a)—

omit, insert—

‘(a) be in the form stated in schedule 1; and’.

5 Section 20(1)—

omit, insert—

‘(1) If there is a delay, error or omission in or in relation to the preparation or publication of a gazette notice by the Minister, it may be corrected by a further gazette notice by the Minister stating what is to be done.’.

6 Section 20(2), ‘(apart from a writ)’—

omit.

7 Section 21(1)(b), after ‘section 64(1)(a)(ii)’—

insert—

‘as applied under the 2008 Act, section 110’.

8 Section 30(4), ‘issue of the writ for a referendum’—

omit, insert—

‘publication of the plebiscite notice under the 2008 Act’.

9 Section 33(2) and (3), ‘Bill or’—

omit.

10 Section 36(8), definition *member*, ‘writ for the referendum is issued’—

omit, insert—

‘plebiscite notice is published under the 2008 Act’.

11 Section 41(1), ‘writ is returned to the Governor’—

omit, insert—

‘report is given to the Speaker under section 43’.

12 Section 43—

omit, insert—

‘43 Report about plebiscite result to the Speaker

‘(1) As soon as practicable after the commission has received notice under section 42(1) from the returning officers for all plebiscite districts, the commission must—

(a) on receipt of the count from each of the returning officers, work out the total number of yes votes and no votes; and

(b) give to the Speaker a report stating whether or not the question has been approved by a majority of the relevant electors voting; and

(c) publish the plebiscite result in the gazette.

‘(2) The Speaker must table the report in the Legislative Assembly within 7 days after receiving it.

‘(3) Publication in the gazette of the plebiscite result is evidence of the plebiscite result.’.

13 Section 46(1), ‘return of the writ to the Governor’—

omit, insert—

‘day the report is given to the Speaker under section 43’.

14 Section 49(3), ‘writ for the referendum is returned as mentioned in section 43(2)(c)’—

omit, insert—

‘plebiscite result is published in the gazette under section 43’.

15 Section 55(2)(b) and (c), ‘endorsed on the writ’—

omit, insert—

‘stated in the report given to the Speaker under section 43’.

16 Section 80(2), definition *referendum statement*, ‘Bill or’—

omit.

17 Part 7—

omit.

18 Schedule 1—

omit, insert—

'Schedule 1 Plebiscite form

section 18(2)(a)

Water Fluoridation Act 2008

Ballot paper

HOW TO VOTE—

IF YOU APPROVE PLACE A TICK [√] IN THE SQUARE OPPOSITE THE WORD 'YES'

IF YOU DO NOT APPROVE PLACE A TICK [√] IN THE SQUARE OPPOSITE THE WORD 'NO'

[*Here insert question*]

☐ YES

☐ NO'.

19 Schedule 3, definitions *assistant returning officer*, *cut-off day for electoral rolls*, *day for the return of a writ*, *elector*, *electoral district*, *electoral roll*, *form 1*, *form 2*, *form 3*, *form 4*, *form 5*, *polling day*, *referendum*, *returning officer* and *writ*—

omit.

20 Schedule 3—

insert—

'***2008 Act*** means the *Water Fluoridation Act 2008*.

assistant returning officer means an assistant returning officer holding an appointment under the 2008 Act, section 112.

cut-off day, for electoral rolls for the plebiscite, see the 2008 Act, section 102.

plebiscite districts see the 2008 Act, section 110(1)(a).

polling day see the 2008 Act, section 102.

publish, in relation to a gazette notice under the 2008 Act, means publish in the gazette.

relevant elector see the 2008 Act, section 102.

returning officer means a returning officer holding an appointment under the 2008 Act, section 111.'.

21 Schedule 3, definitions *no vote* and *yes vote*, 'Bill or'—

omit.

22 Schedule 3, definition *referendum period*, paragraph (a), 'writ for the referendum is issued'—

omit, insert—

'plebiscite notice under the 2008 Act is published'.'.

This is a consequential amendment and therefore I do not propose to speak to it. However, with regard to the previous amendment that I moved, I want to note that it is quite remarkable to say that we are going back to a precedent from 1924 and 1932. Once again, we can say that we have seen something that we have not seen before.

Non-government amendment (Mr Springborg) negatived.

Schedule, as read, agreed to.

Third Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (9.32 pm): I move—

That the bill be now read a third time.

Division: Question put—That the bill be now read a third time.

Resolved in the affirmative under standing order 108.

Bill read a third time.

Long Title

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (9.37 pm): I welcome the member for Moggill back for that division after missing the one earlier. I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

SPECIAL ADJOURNMENT

Hon. PT LUCAS (Lytton—ALP) (Acting Leader of the House) (9.37 pm): I noticed the member for Moggill did a Bill Hewitt. I move—

That the House, at its rising, do adjourn until 9.30 am on Tuesday, 15 April 2008.

Question put—That the motion be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. PT LUCAS (Lytton—ALP) (Acting Leader of the House) (9.38 pm): I move—

That the House do now adjourn.

Moggill Electorate, Ambulance Service

Dr FLEGG (Moggill—Lib) (9.38 pm): Twelve months ago I raised the issue that within a large part of my electorate and the western suburbs of Brisbane only one in four category 1 emergencies for ambulance call-outs arrive on time. To boil that down to its lowest common denominator, that means lives are lost in critical emergencies because the Queensland government is unable to supply an ambulance service that arrives on time three-quarters of the time in critical category 1 emergencies. In response to my having raised this issue a year ago, there was a move to institute a first-responder program in the area from Moggill and Bellbowrie through to Brookfield, and I supported that measure. I met with the minister in relation to it and I still support that measure. Furthermore, at my own expense I circulated my electorate and identified 120-odd people interested in being a first responder. Yet now a year later we do not seem to be any further advanced in getting that scheme up and running.

What really concerns me is that for every month that goes by more lives are potentially put at risk in the event of an emergency. Whether it is a car accident, whether it is a house fire, whether it is a child in a swimming pool or whether it is a heart attack, stroke, diabetic coma or any other sort of emergency, lives are being put at risk. I met again with the department today, and I want to renew my call to the government to increase its efforts to at the very least get a first-responder program organised to protect lives in this very large portion of the city of Brisbane. There is no ambulance station west of Kenmore, and we would certainly love to see one. But in the interim we need some sort of response in a life-threatening emergency that will be able to deliver CPR and that will be able to deliver defibrillation or other emergency treatment. My electorate has a serious situation with the roads—with roads that are frequently jammed with traffic and, if there is an accident, become completely impassable. Lives are at risk while ever this situation continues. There is a need for the government to make sure there is provision to protect them.

Criminal Code, Discipline of Children

Hon. DM WELLS (Murrumba—ALP) (9.40 pm): Occasionally the Parliamentary Internship Program yields a piece of work that is not only a creditable part of a university student's assessment but also a wake-up call to legislators. I table a paper by James Millett titled *Protecting children: a review of 'reasonable chastisement' and section 280 of Queensland's Criminal Code*.

Tabled paper: Document dated 18 November 2007 produced by James Millett for Dean Wells MP titled Protecting Children: A review of 'reasonable chastisement' and section 280 of Queensland's Criminal Code.

Previously I have drawn the attention of honourable members to the need for reform of this archaic and dangerous section of our Criminal Code. This section, which says it is lawful for a parent or person in place of a parent to use reasonable force for the purposes of the correction or discipline of a child, legitimates more violence than any child deserves to have brought against them. The section does not confine itself to simple assaults but also excuses serious and aggravated assaults. In his brilliant analysis of the defects of this section, James Millett writes—

Section 280 of the Criminal Code Act 1899 needs to be reviewed ... The current law does not reflect modern attitudes towards children, does not live up to the requirements of international human rights law; does not reflect anti-discrimination law and gives the impression that the Queensland Government condones and supports the assault of children by their parents.

I thank the Attorney-General for making prosecutorial information available for this research. In recent times prosecutors have had to prepare themselves for the possibility that the defence would be used in cases where a parent threatened a child with a knife, threw a child into a doorframe or punched a child in the chest for bed-wetting. However, there have been no high-profile cases as outrageous as those which occurred recently in New Zealand, where parents were acquitted despite using horsewhips and blocks of wood on their children. Not surprisingly, the New Zealand provision has now been repealed.

James Millett points out that the section has a more sinister function. It also influences what cases are investigated by police and what cases are brought before the courts. If the investigating officer knows that a parent is likely to be acquitted of assault even if the assault includes threatening the child with a knife, surely there will be some effect on the selection of cases to proceed with.

In James Millett's paper are some previously unpublished statistics regarding the extent of child physical abuse in Queensland. Until 2005-06 the figures for assaults against children where the offender was their parent were not kept separately. I thank the minister for police for making these at-this-stage indicative statistics available to my intern. In that year alone approximately 699 charges were laid against parents for assaults on their own children. Of those, 14 were grievous assaults. The astonishing figure of 388 were serious assaults. It is not known how many of these cases were dropped because section 280 would have protected the perpetrator. But if you do the maths, merely reforming section 280 of the Criminal Code so that it provided a defence only against a charge for common assault would have provided additional legal protection for children in 402 of those cases in one year alone.

Time expired.

Noosa Electorate, Youth Violence

Mr ELMES (Noosa—Lib) (9.44 pm): Members of this House know that I have been pleading with the police minister to take the issue of violence, especially youth violence, seriously since I was elected to this place. On 10 December 2007 I wrote a letter to the minister inviting her to Noosa. In that letter I stated—

... to see first-hand just how bad the situation has become in the Noosa electorate. Rather than publicly walk the streets with senior police officers and media in a pre-organised coordinated event, I will drive you around the known trouble spots and let residents and business owners explain to you personally what they have to endure at the hands of these lawless youths.

I table the letter.

Tabled paper: Letter dated 10 December 2007 from Mr Glen Elmes MP to Hon. Judy Spence MP, Minister for Police and Corrective Services relating to police numbers in Noosa.

It seems reasonable, does it not, to actually find out what the problem is by talking to locals instead of indulging in a political stunt.

But the minister's idea of getting a handle on the situation was to turn up at Noosa with the police commissioner and take a stroll around town at 10 o'clock at night. This is governing Labor style: 'Don't fix the problem, just look like you are.' The police minister could have written back to me and said, 'I'm coming to Noosa and I'd like to take you up on your offer to show me around.' But she did not. The minister could have called me aside during the last sitting of parliament—indeed, the night before she came for her secret visit—and said, 'Glen, I'm coming up to Noosa tomorrow night. Let's go and talk to the residents.' But she did not. The minister snuck into Noosa and then tried to convince the locals that the Labor government was taking the issue seriously by releasing a statement that not one single, solitary person I have spoken to believed. Local media outlets saw it for what it was as well. The editorial in the *Sunshine Coast Sunday* of 2 March stated—

... no one believes for a minute that you were going to see the real picture by walking the streets with uniformed police officers beside you.

If the plan was to see a slice of reality, you failed.

If it was to present some sort of facade which would fool people into thinking you were serious, you failed there as well.

The editorial of the *Noosa Journal* of 6 March stated—

The stroll through Hastings St at 10pm accompanied by a police escort including Police Commissioner Bob Atkinson is a cynical ploy from someone who should really know better. It only serves to confirm that people in Noosa are not taken seriously by the State Labor Government.

I table both of those editorials.

Tabled paper: Editorials relating to visit to Noosa by Police Minister Judy Spence.

I encourage the minister to forget the silly political stunts. I ask her to take me up on my offer to come to Noosa and I will take her to Noosa Woods and some of the other trouble spots and parks. We will visit Tickle Park in Coolum later in the evening to see the effects of what happens between 2 am and 3 am, when the drunks spill out onto the streets from clubs and nightclubs harassing taxidrivers, nearby residents and the staff of local businesses. If the thought of a bipartisan approach is too much for the minister, perhaps she could stomach spending a few hours in a patrol car with local officers so that they can point out to her the trouble spots and then plead with her for more officers in the Noosa and Coolum police divisions. The minister has been in charge of police since 2004. It really is time that she started listening to the community and to local police.

World Kidney Day

Ms JONES (Ashgrove—ALP) (9.47 pm): Today is World Kidney Day.

Mr Lucas interjected.

Ms JONES: Yes, a very exciting day indeed. The purpose of World Kidney Day is to raise awareness about the importance—

Mr Lucas: Of kidneys.

Ms JONES: Surprise, surprise. The kidney is an amazing organ that plays a crucial role in keeping us alive, well and healthy like the Deputy Premier. World Kidney Day helps spread the message that kidney disease is harmful and treatable. If our kidneys gradually lose their ability to function we have chronic kidney disease. It is often referred to as the silent killer, because it often goes unnoticed and undiagnosed. One in seven Australians aged over 25 years has at least one clinical sign of existing chronic kidney disease and one in three Australians is at increased risk of developing chronic kidney disease. People with chronic kidney disease are more likely to have high blood pressure, diabetes, heart attacks and strokes.

Mr Lucas: Is that one of the symptoms?

Ms JONES: Yes, I am about to turn 29. The health of those people's kidneys may also progressively worsen to the point at which the kidney must be replaced. Either patients receive a new kidney through a transplant or they are kept alive through dialysis—a machine that cleans their blood about three times a week. This is a long, uncomfortable and often distressing process.

I have some good news. Tonight I am pleased to advise the House that we have secured $170,000 per year in annual funding for the Kidney Support Network of Queensland, which is based in my electorate at The Gap.

Mr Lucas: That is excellent news.

Ms JONES: That is very good news. It is also indicative of the state government's commitment to preventing chronic disease. The minister announced $155 million through the Queensland Strategy for Chronic Disease.

I had the great pleasure of going to the Kidney Support Network last Friday to announce this funding and also to meet several volunteers who live in my community. Since I have been elected, which was just over 18 months ago, I have managed to secure two new buses through the Gambling Community Benefit Fund at $30,000 a piece, which are used by volunteers in my community. So it is people from The Gap and Ashgrove predominantly who actually volunteer to drive people needing dialysis from communities all across Brisbane to the Royal Brisbane and Women's Hospital for the dialysis treatment. I want to place on the record my sincere gratitude to these people on behalf of everyone in Brisbane dealing with chronic disease whom they help to support.

I also want to thank Kay Schafer, who is the CEO of the Kidney Support Network. Without her hard work the organisation really would not exist. Kay and I met with the Minister for Health and talked about the great work that the Kidney Support Network was doing. We were so delighted that the minister listened to our concerns and has come forward and committed this money for the future.

Spinal Injuries, Home Assistance

Mrs PRATT (Nanango—Ind) (9.50 pm): On 17 October 2007 a 67-year-old constituent of mine had a farming accident at Nanango. He sustained a C6 and C7 spinal cord injury resulting in complete quadriplegia. He is currently an in-patient at Princess Alexandra Hospital's spinal injuries unit in Brisbane. He has recently learnt that there is minimal assistance to help him return to his home. The assistance available in the community is capped at age 65. As he was born in 1941, he is ineligible for the Queensland Disability Services' lifestyle packages that are available for persons under the age of 65 years. If he were younger, the maximum assistance to help him would be 60 hours a week under the spinal cord injury response funding brought in to Queensland Health in July 2006. However, because he is over 65, the maximum funding available through Home and Community Care funding is 14 hours a week. This is very inadequate for a person of his age. Without suitable assistance at home he is at very high risk of requiring nursing home placement for alternative support. This alternative care would be detrimental not only to his physical health but also to his mental health and the wellbeing of his family.

He wrote to me to enlist some assistance in trying to rectify the inequitable situation not only for himself but also for many others in the same situation. He has been advised by his treating team that for his level of injury and care he would require approximately 37 hours a week so as not to depend wholly on his wife for daily assistance. Here we have a 67-year-old who has been a very active man up until his accident. He worked his farm, he produced products for the markets which we all accessed but then in an instant this active, healthy man becomes a quadriplegic. This 67-year-old man has been more active than many 40-year-olds whom I know and probably has to date been in much better health and in no way a burden on any part of the community.

This policy in which those aged 65 years and under can access up to 60 hours assistance but those aged over that can access only 14 hours is quite ridiculous. To the average fair-minded person it is definitely not fair. This is blatant discrimination based on age. It is not acceptable and I ask the minister to please review the situation to bring equality to all disabled people despite their age. Sixty-five is the new 45. We all need to realise that, as we attain greater and better health, we become younger and younger. The grandmas and grandpas of today are definitely not the grandmas and grandpas whom we knew when we were young. They definitely seemed a lot older than they do today.

Rasmussen, Ms N

Mr BOMBOLAS (Chatsworth—ALP) (9.53 pm): I would like to pay tribute to a couple of Queensland champions: pacer Blacks A Fake and trainer-driver Natalie Rasmussen. The pair combined recently to win a record-equalling third straight Inter Dominion. On Saturday night, 1 March 2008, Rasmussen guided her seven-year-old to victory in the Watpac Inter Dominion Final at Moonee Valley to mirror Makybe Diva's 'turf triple treat' of three consecutive Melbourne Cups. The feat is even more remarkable when we consider that Blacks A Fake was a victim of equine influenza and had to be quarantined at the Rocklea Showgrounds. His lead-up was so badly affected that the campaign was almost aborted and the gelding retired.

This sporting milestone is also a triumph for a super woman taking on Australasia's best trainers and drivers in a domain traditionally dominated by men. Eight years ago at the Gold Coast, Natalie Rasmussen suffered a serious back injury and was strongly advised by doctors to never ride a horse again. But after a painstaking 18-month recovery and a reluctant trial of alternative jobs such as sign-writing and bar work, which she absolutely hated, the now 31-year-old is harness racing's version of the bionic woman—bigger, stronger and faster than ever.

The daughter of well-known Queensland trainer-driver Vic Rasmussen is not only holding the reigns again but also beating the blokes at their game. She is the only driver with a perfect record of three starts for three wins in the Inter Dominion finals. She and Blackie have forged a formidable combination—40 wins from 53 starts with a record $2.83 million in prize money. But more history awaits—Rasmussen is confident her star pacer can win an unprecedented fourth Inter Dominion at home right here at Albion Park in Brisbane next year.

A footnote to this story is that sometimes in life it pays to be in the right place at the right time. That is exactly what happened to Carina couple Jason Taylor and Louise Pitcaithly, who headed to Albion Park Raceway for a rare night out on that final night. As fate would have it, Jason drew Blacks A Fake in a nationally-run competition for which the major prize was a world trip for two valued at $24,000. Jason and Louise roared as Blacks A Fake raced to victory. With a maxed-out credit card, the pair were happy enough just to win the $500 cash for drawing a horse in the promotion, but Blackie's triple treat means they will pack their bags for a trip of a lifetime. It also means their young son, Jacob, can meet Louise's family in Scotland.

As a guest of the Albion Park Harness Racing Club, I had the honour of presenting the travel documents to Jason and Louise, who were shaking with sheer excitement. I was not only proud of Blacks A Fake's achievement and that of his trainer-driver Natalie Rasmussen but tickled pink when I found out the winners of the big promotion were from the great electorate of Chatsworth.

Flagstone Community College

Mr RICKUSS (Lockyer—NPA) (9.56 pm): I honestly think that the member for Chatsworth must have had a few dollars on that horse. I rise today to acknowledge some students who visited the parliament today, the two leaders and deputy leaders of Flagstone Community College. There were also two teachers: Greg Coleman, one of the deputy principals, and Carolyn Burke, the year 12 coordinator.

It was a great pleasure to have these students here. They are outstanding young people from south-east Queensland. John Brown, who is one of the school leaders, actually wants to be a tradie next year. He has a great sense of humour. He could almost make a living as a comedian. He is a nice young man and an intelligent young fellow who is very sharp witted. Kelly Walker wants to take on the honourable profession of teaching. I am sure Kelly will be a great example to the community as well. She is very keen to be a teacher, very articulate and very self-confident. Adam Walsh, who is another interesting young fellow from down Flagstone way, wants to be a helicopter pilot for the Army. He is about to undertake the tests for courses. I wish Adam all the best and I hope he passes the exams required.

Cora Newton is also very interesting. She wants to undertake medical science research. She was telling me that one of her sisters has a bit of a problem with epilepsy. Cora has put her mind to it and she has decided that she would much prefer to try to help the family out and do some medical science research. That demonstrates the great standard of young people who are involved in our schools. I think it is great for the leadership team to be able to come to parliament to see what is going on.

I also encouraged them to have a look at the debate we had in the House last night on the Criminal Code (Protecting School Students and Members of Staff from Assaults) Amendment Bill. They can find that on page 790 of *Hansard* from yesterday. It will probably do the school leaders good to read about some of the issues that were raised in the debate and to see how the parliament runs. They were very impressed with question time and how it was run this morning. They found it very interesting to see the impassioned debate that was held about important issues of the state and the full process of how parliament works. The Governor just happened to be on the steps receiving some bills from the Clerk of the Parliament, Neil Laurie, so it was a great experience for these young leaders from Flagstone.

Hungarian Australians

Mr MOORHEAD (Waterford—ALP) (9.59 pm): Sunday, 2 March was a big day for the people of the Waterford electorate. On Sunday morning I attended the launch of the Beenleigh Cane Festival Charity Quest along with Margaret Keech, the member for Albert, and Brett Raguse, the new and hardworking federal member for Forde. I congratulate Di and John Crawford and the Rotary Club of Beenleigh on a magnificent seven entrants in this year's cane queen title.

On Sunday afternoon I was privileged to join Di Reilly, the member for Mudgeeraba, and the Hungarian Cultural and Welfare Association to welcome His Excellency Gabor Csabe, the new Hungarian Ambassador, and his wife, Mrs Edit Csaba, to Logan and Queensland. I must admit that I was at a significant disadvantage to the member for Mudgeeraba.

Mr Lawlor: Did you speak Hungarian?

Mr MOORHEAD: I was very impressed by her fluent Hungarian, member for Southport—a language which I understand is quite difficult to learn. I, on the other hand, cannot speak one word of Hungarian. Hungarian Australians have made a considerable contribution to our country. This is particularly evident in Logan, the home of the Hungarian Cultural and Welfare Association. The Hungarian centre at Marsden provides a place for celebrating Hungarian culture and providing support for Hungarian Australians. The centre provides a home for two loves of Hungarian Australians—football, the round ball variety of course, and Hungarian food in large servings, quite often goulash, schnitzel and roast meat.

The people of Hungary have decided to make Australia their home since the 1850s. Significant numbers of migrants came to Australia fleeing oppression both before and after World War II. On 23 October 1956, Budapest erupted in violence when people revolted against the occupation, leading to a bloody response from the Soviet army. Many thousands of people fled the country through Austria and went on to the peace and prosperity of Australia.

Hungarian Australians in Logan have been fortunate to have support from a strong and active community leadership. While there are so many who do such valuable work, I would like to make specific mention of the President of the HCWA, Sandor Velenceji; Honorary Consul to the Republic of Hungary, Tibor Borlai; and former president Les Agardi. I am proud to support the Hungarian Cultural and Welfare Association. I was very proud to be recognised, along with Logan Mayor Graham Able; Phil Reeves, the member for Mansfield; and my predecessor, Tom Barton, for support of the HCWA.

I join with the Hungarian Cultural and Welfare Association, and I am sure with all members of this House, in welcoming His Excellency Ambassador Csaba to Queensland and look forward to continued strong friendship between Queensland and Hungary. Isten, áldd meg a magyart. For those who, like me, do not speak Hungarian, or at least do not speak it very well, that means 'God bless the Hungarians'.

Public Dental Services

Mr SEENEY (Callide—NPA) (10.02 pm): I rise tonight to once again bring the attention of the House to the deplorable state of the public dental system in my electorate. Dental clinics have apparently taken up a policy of not maintaining waiting lists for patients needing attention, making it a daily lottery to determine whether or not a person receives attention. That is difficult enough for people in towns that have dental clinics, but it is especially difficult for people in small towns that do not have their own dental clinic and who therefore have to travel.

This has been brought to my attention in a particularly pertinent way by a letter from a constituent of mine, Peter Schaper, who lives in Biggenden. The Biggenden dental clinic closed some years ago and for some years people in Biggenden have been accessing the dental clinic at Gayndah. Now the dentist at Gayndah is beyond retirement age and the patients who normally travel to Gayndah have been told to go elsewhere.

Mr Schaper has advised me that he tried both the Bundaberg and Childers dental clinics, both of which involve a drive that takes a considerable amount of time, but found that they have a lottery system in place in effect, with no bookings being taken for non-urgent dental care. Patients actually in pain have to phone in during a narrow window of time each morning when the clinic is open in the hope of getting ahead of others requiring urgent attention. He has told me a deplorable story of how he was continually told each day that he was too late to get in that day and that he would have to try again tomorrow. No attempt to make an advance booking was successful, not even for emergency treatment.

The current system makes access to dental treatment a daily lottery which is impossible for people who are suffering dental pain to tolerate. If they happen to dial at exactly the right moment they get through. If they do not win the lottery that day, they cannot even get on the list for urgent attention the next day. They have to keep trying their luck with the phone every morning, trying to win the lottery to get some attention.

It is a deplorable situation that public dental services anywhere in Queensland should have deteriorated to such an extent. But it is the case in my electorate, where a number of small towns no longer have access to public dental services and their residents have to travel to access the public dental services that are quite clearly under strain in other areas. To do that under a system where they have to make a phone call every morning in some sort of lottery to get attention, where they cannot make an appointment, makes the situation even more deplorable.

The whole question of access to public dental services is something that I know definitely needs attention right across Queensland. We need to ensure there are systems in place to recruit more dentists for the whole of Queensland. But certainly for rural and regional centres there need to be incentives for dentists to provide a public dental service in those communities.

Peak Oil

Ms NOLAN (Ipswich—ALP) (10.05 pm): Before addressing my topic tonight I want to advise the House that the Hon. Joan Kirner is not very well at the moment. On behalf of Labor women I want to pass on our best wishes to her. She has done a great deal for us. She is a good woman.

On Monday night in Ipswich two local engineers, Steve Posselt and Stuart McCarthy, in conjunction with the Ipswich Chamber of Commerce and Industry and Ipswich Green—an organisation of which I am a cofounder—ran an Ipswich leaders forum to outline to the community the serious challenge of sustainability. Their timing could not have been better. Today the price of a barrel of West Texas crude oil passed through the $US110 mark. This is the highest price oil has ever reached, either in current or inflation adjusted terms.

The price surge is a result of a culmination of rising demand, flat production and falling inventories, but there is a simpler way of describing what is happening. It is called peak oil. Peak oil advocates have always argued that we would only recognise the peak of world oil supply when it was passed—that is, we would only see it for sure in the rear-vision mirror. Well, the view in the rear-vision mirror is becoming increasingly clear. In November 2006 the world produced 85.5 million barrels or crude per day. No month since has surpassed that total. During 2007 world oil production declined to 84.6 million barrels per day. Around the world, nation by nation, oil production has peaked and declined. The USA peaked at 9.6 million barrels per day in 1970 and now produces 5.1 million barrels per day. Venezuela peaked in 1970, the UK peaked in 1999, and Norway and Australia both peaked in 2000.

The Energy Watch Group in Germany recently analysed world data and suggest that we are past the world's peak. They calculate that world supply will now decline by seven per cent per year, falling to 58 million barrels per day by 2020. There is no way known that production of biofuels such as ethanol can plug such an enormous and growing gap. Even putting aside the record grain prices we are already seeing as arable land is transferred from food to fuel production, the simple fact is that there is not enough land on the planet to grow the liquid fuel volume which we require today. Aldous Huxley once said that 'human beings have an almost limitless capacity to take things for granted'. When it comes to oil and our use of it, that is certainly true. Lester Brown in his Plan B 3.0 set out the challenge thus—

> The challenge for our generation is to build a new economy, one that is powered largely by renewable sources of energy, that has a highly diversified transport system and that reuses and recycles everything. And to do it with unprecedented speed.

The Ipswich leaders forum set out that challenge for our community. It is a serious challenge and one that we must all seriously pursue.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 10.09 pm.

ATTENDANCE

Attwood, Barry, Bligh, Bombolas, Boyle, Choi, Copeland, Cripps, Croft, Cunningham, Darling, Dempsey, Dickson, Elmes, English, Fenlon, Finn, Flegg, Foley, Gibson, Grace, Gray, Hayward, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Jones, Keech, Kiernan, Knuth, Langbroek, Lavarch, Lawlor, Lee Long, Lee, Lingard, Lucas, McArdle, McNamara, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, Palaszczuk, Pearce, Pitt, Pratt, Purcell, Reeves, Reilly, Reynolds, Rickuss, Roberts, Robertson, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wellington, Wells, Wendt, Wettenhall, Wilson

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